UC-NRLF
$B 285 702

LIBRARY
OF THE
UNIVERSITY OF CALIFORNIA.
GIFT OF
J. Burt Davy.
Received Oct. , 1896
Accession No. 74267 . Class No. .

Digitized by the Internet Archive
in 2007 with funding from
Microsoft Corporation

http://www.archive.org/details/characterofgentl00liebrich

THE CHARACTER

OF

THE GENTLEMAN.

BY

FRANCIS LIEBER,

LL. D. MEMBER OF THE INSTITUTE OF FRANCE, AUTHOR OF "CIVIL LIBERTY AND SELF-GOVERNMENT," ETC.

Third and much Enlarged Edition.

LIBRARY OF THE UNIVERSITY OF CALIFORNIA

PHILADELPHIA:
J. B. LIPPINCOTT & CO.
1864.

B-51521
L 5

Entered, according to Act of Congress, in the year 1863, by
FRANCIS LIEBER,
in the Clerk's Office of the District Court of the United States for the
Southern District of New York.

74267

ADVERTISEMENT

FOR THE THIRD EDITION.

The manuscript of the third edition, with many additions and some corrections, had been lying for years in the author's library, when recently he found that in 1862 this little work had been issued from the British press, with a preface by "E. B. Shuldham, Ch. Ch. Oxon." Possibly a reprint of the English edition might be published in America, did not the author himself furnish the public with a new one. This is the reason why the present third, or, if the English publication be counted, fourth, edition, is now issued even in the midst of our civil war, which leads us to think of graver and far different things.

I have retained the form of an address, for reasons given in the preface to the second edition; and I have not hesitated to add remarks which may appear as anachronisms in a discourse delivered so long ago as in the year 1846.

F. L.

PART OF THE PREFACE TO THE SECOND EDITION, PUBLISHED IN THE YEAR 1847.

The students of Miami University, in the State of Ohio, did me the honor of inviting me, during the past summer, to deliver an address on the evening before their Commencement Day. I had never visited that teeming region of the spreading West, and gladly accepted the invitation. The address was printed, according to custom, and I was furnished with a liberal supply of copies, not sufficient, however, to satisfy all persons who seemed desirous of perusing it. Repeated propositions to republish it were made; but they would not have induced me to venture upon a second edition of so fugitive a composition, had not some trustees and many students of our own institution desired me to do it. . . . I now offer the following pages, still called on the title-page an address, but forming in reality an essay. For, in preparing the copy for republication, I have not only felt at liberty to make alterations and many additions, but I have thought it my duty

to do so, simply because my composition is now to be read, and not to be heard, and because I was desirous of rendering it less unworthy of a second issue from the press.

I must beg the reader to keep this fact in mind, should he, in perusing these pages, feel disposed critically to compare the present length of the discourse with the time which ought in fairness to limit orally-delivered addresses, and possibly to charge me with a failing against which I have a strong aversion,—the error of detaining hearers, or readers, of speeches, addresses, exhortations, messages, and documents, beyond reasonable bounds. No one acknowledges more readily than myself the inconvenience arising from lengthy lucubrations and unmeasured effusions. They war with a virile style, with vigorous thought, and close attention, and lead to an unfortunate passiveness in the hearers who are patient only because their minds fall into a state of half-absorbing dulness, assimilating with themselves what is said as little as the sponge assimilates the moisture which it absorbs. We must acknowledge that inordinately long, shallow speaking has become a national and, I fear, an unnerving evil, which it is full time to amend, if character, the true source of national greatness, is

dearer to us than speeches; but as to the pages I here offer, the reader will remember what I just stated,—that the composition, although retaining the form of an address, has become in reality an essay, and as such I would hope that it is not too long in proportion to the importance of its subject, when we consider it as an element of the high and various civilization which has become the proud inheritance and responsible talent of the vast family composed of all the advanced nations.

F. L.

January, 1847.

LIBRARY OF THE UNIVERSITY OF CALIFORNIA

THE

CHARACTER OF THE GENTLEMAN.*

Young Gentlemen:

The very word by which I have the pleasure of addressing you will form the subject of the address, which, in the spirit of great kindness, you have called upon me, unknown to you as I am, to deliver on this festive day. I tender you my cordial thanks for this proof of your regard; but, in doing so, I must remind you that I find difficulties of no common character surrounding me at this moment. My foot treads for the first time the soil of your sylvan State; I am unacquainted with what may be peculiar to your society, or characteristic of your institution. I thus may stand

* Originally an Address delivered to the students of Miami University, Ohio, on Commencement Eve 1846.

in danger of losing myself with you in unprofitable generalities. Let me beg you, therefore, to bear with me, should you consider my subject not sufficiently characteristic for this particular occasion, for which I have selected the Character of the Gentleman. It appeared to me that an inquiry into the proposition, What is the true character of the gentleman, and what rules of action do we derive from the results of this inquiry? might be made useful and instructive to young men who, in receiving a liberal education, are preparing themselves for the most important walks of practical life, or the spheres of literature, eloquence, and public action.

Young as you are, you must have observed, that the term gentleman is used in common intercourse indeed almost unmeaningly, or as a term merely indicating that we do not mean the opposite; but that the word has also come to designate, in a direct and positive manner, a character of high and even lofty attributes, and, at the same time, is employed on occasions apparently much differing in their na-

ture. It is made use of as an incentive in education at home and in training at school for those who are yet sporting through the age of boyhood. Every one of us has felt his boyish heart glow more warmly when our parent or teacher said, with smiling approval, "You are a little gentleman;" and Dr. Thomas Arnold, the solid scholar, the loving Christian, devoted friend of liberty, and great schoolmaster, pronounced it his highest aim to make the boys intrusted to his care feel like Christian gentlemen. An English writer, in order to express most strongly his admiration of Plato's works, says that they are pervaded by a spirit, almost, of a Christian gentleman;* an officer of the army or navy may be tried for "conduct unbecoming a gentleman,"—a charge ruinous to his career, if the court pronounces him guilty; "on the word of a gentleman," is

* There is a work, published some years ago, which nevertheless I have not yet met with:

The Christian Gentleman's Daily Walk. By Sir Archibald Edmonstone, Bart. Third edition, rearranged and enlarged.

considered among men of character equivalent to a solemn asseveration, and the charge "he is no gentleman," as one of the most degrading that can be brought against a man of education. You would understand me at once as being desirous of conveying a grave idea, were I to say that Socrates, though condemned by vulgar envy, died passionless, a philosopher and a gentleman, or that Charles I. of England, after having long prevaricated, and occasionally stooped to unworthy practices, demeaned himself, during his trial and on the scaffold, like a gentleman.

Erskine, the great advocate, said, in one of his pleadings, "He is an English gentleman, the best thing a man can be;" and Townsend, in his "History of the House of Commons," calls it, The society of the first gentlemen in the world.

When Nicholas, the Emperor of Russia, conversing with the English ambassador, Sir Hamilton Seymour, on the state of Turkey, was desirous of impressing the latter that he was speaking with perfect truth, he said, "Now

I desire to speak to you as a friend and as a gentleman."* The emperor was speaking in French; yet he used the English term "gentleman."

I give in conclusion of these instances Judge Talfourd's words, which he uttered on the bench, in a case tried at the Bristol assizes, shortly before his sudden death. The evidence proved that the defendant, while in the theatre, had said to the plaintiff, "Do not speak to me: I am a gentleman, and you are a tradesman." "Gentleman," said the learned judge, "is a term which does not apply to any station. The man of rank who deports himself with dignity and candor, and the tradesman who discharges the duties of life with honor and integrity, are alike entitled to it; nay, the humblest artisan, who fulfils the obligations cast upon him with virtue and with honor, is more entitled to the name of gentleman than the man who could indulge in offen-

* Sir H. Seymour's despatch of January 22, 1853.

sive and ribald remarks, however big his station."*

---

* Different meanings are given to the word, as appears from the following.

The Englishman (Indian paper) of the 28th June, 1850, gave the following:—We have read several very characteristic letters, which we regret we are not permitted to publish; but one has just been handed to us for that purpose, and we accordingly subjoin it. The affair, as related to us, is as follows. A Mr. Morgan, employed in a public office, in sending a small sum due to Mr. Rowe, addressed him as Sergeant Rowe. The sergeant's better half was incensed at this, he being a tailor by trade, and employed in the clothing department, and probably expected to be addressed as esquire. She wrote an angry letter to the offender, who, considering the sergeant implicated, complained to the commanding officer of the station, and, not obtaining the redress he expected, forwarded his complaint to the commander-in-chief, from whom he received the following reply, which we think would have been recognized without the signature.

CAMP, April 18, 1850.

SIR:—I have received your complaint, and your very sensible remarks on Mrs. Sergeant Rowe's letter. There is, as you say, nothing disgraceful in being a sergeant, any more than in being a tailor, which by your letter Sergeant Rowe appears to be. My opinion is that he who wears a uniform is of higher rank than he who makes it, and the sergeant is, in my mind, much the highest in rank of the two! *All soldiers are gentlemen, and tailors are only*

We naturally ask, then, what is the meaning of this comprehensive term, and is there

---

tailors! But it seems that Mrs. Rowe thinks otherwise, and prefers being a tailor's wife to being an officer's wife. Now, in my opinion, a lady has a right to hold her own opinion on these matters, and I am unable to give you any redress, because my commission as commander-in-chief gives me no power to make ladies apologize for being saucy, which is an unfortunate habit that they fall into at times, and more especially those who are good-looking, which I suppose Mrs. Sergeant Rowe happens to be. As to the sergeant having written the letter, that is neither here nor there. Some husbands cannot well help doing as they are ordered, and he may be innocent of malice. The only thing that I can do is to advise you to apply to your superior, the collector and magistrate of Farruckabad, who will represent the insult which has been put upon you by Mr. Sergeant Rowe (as you state), and, if possible, Major Tucker will endeavor to persuade the lady to apologize for calling you an ass. More than giving you this advice I cannot do.

C. J. NAPIER, *Commander-in-Chief.*

But against this wayward letter I must be permitted to quote a passage of the Epilogue to "Dr. Birch and his Young Friends," a poem published in England in the year 1848:—

"Come wealth or want, come good or ill,
Let young and old accept their part,
And bow before the awful will,
And bear it with an honest heart.

any thing substantial in the character which it designates, or is it an idol, arbitrarily set

---

Who misses or who wins the prize?
Go, lose or conquer as you can:
But if you fail, or if you rise,
Be each, pray God, a gentleman.

"A gentleman, or old or young!
(Bear kindly with my humble lays)—
The sacred chorus first was sung
Upon the first of Christmas days:
The shepherds heard it overhead,
The joyful angels raised it then:—
Glory to heaven on high, it said,
And peace on earth to gentle men."

This punning on "gentle" in the word gentleman occurs very frequently in English literature. Gentle, as in gentlefolk and gentleman, meant originally belonging to a *gens*, just as in modern times the expression "of family" is used. It is this meaning that gave so cherished a meaning to the word gentleman in the Middle Ages. Many of my readers may not be acquainted with that remarkable passage in Juliana Barnes's book on Armory, which Dr. Allibone has given in his "Critical Dictionary of English Literature." Juliana Berners or Barnes was a prioress towards the end of the fourteenth century, distinguished for beauty and learning. Her mentioned work begins with the following piece of heraldry: "Of the offspring of the gentilman Jafeth come Habraham, Moyses, Aron, and the profettys; and also the kyng of the right lyne of Mary, of whom that gentilman

up by fickle fashion beside morality, perhaps above religion? Has it become a caricature, however innocent at first, or ought it to be well known and attentively cultivated?

I must not detain you with the well-known etymologies of the word, given among others by Gibbon, nor with its meaning in the English law. Blackstone's Commentaries, or any proper book of reference, will speedily satisfy the curious on this point.

Let us rather endeavor to ascertain what is meant at present by those who choose their words with care and knowledge, when they use the term gentleman in its highest acceptation. You may see it frequently stated that gentleman means gentle man, which is neither etymologically correct, nor true as to its present peculiar meaning. Gentleness is indeed an element of the true gentleman, as we shall amply see; but it alone does not constitute the gentleman. If it did, we would not stand in

---

Jhesus was borne, very God and man; after his manhoode kynge of the land of Jude and of Jues, gentilman by his modre Mary, prince of cote armure."

need of the word. The word gentleman was formed before gentle came to signify kindliness of soul; but it is nevertheless instructive to trace all the meanings now assigned to the words derived from the Latin *gens*, through their different changes. Let me advise you to reflect on the meaning of Gentle, and of the different meanings of the corresponding words in other languages, and their gradual growth out of that first and Roman root Gens. I believe the word gentleman signifies that character which is distinguished by strict honor,* self-possession, forbearance, generous as well as refined feelings, and polished deportment,—a character to which all meanness, explosive irritableness, and peevish fretfulness are alien; to which, consequently, a generous candor, scrupulous veracity, and essential

* A reviewer has blamed me for using the word honor and not saying what I mean, adding that people use honor in very different ways: some think it consists in paying debts incurred at game, others in treating ladies deferentially but not caring how many servant-girls may be seduced. Did the reviewer really mean that I should build a causeway of definitions as I went along?

truthfulness, courage, both moral and physical, dignity, self-respect, a studious avoidance of giving offence to others or oppressing them, and liberality in thought, argument, and conduct, are habitual and have become natural. Perhaps we are justified in saying that the character of the gentleman implies an addition of refinement of feeling and loftiness of conduct to the rigid dictates of morality and the purifying precepts of religion. It seems to me that we always connect with the word gentleman the ideas of honor, polish, collectedness of mind, and liberal disposition, and feel that its antagonistic characters are—if you will permit me, in the spirit of philosophical inquiry, to use words some of which do not often find a befitting place in a gentlemanly discourse—the clown, the gossip, the backbiter, the dullard, coward, braggart, fretter, swaggerer, the snob, the flunkey, the bully, the ruffian, and the blackguard, according to the special attribute of the gentleman, the opposite to which we may be desirous of pointing out in the antagonistic character.

If I use here the word *polish*, I mean, indeed, that urbanity which, in most cases, is the effect of a careful education and choice intercourse, consisting, in other words, in high breeding, but which, nevertheless, may result from native qualities so strong that subsequent cultivation may become comparatively unimportant. There are native gentlemen, as there are native captains, bards, orators, and diplomatists. Whoever has read Captain Wilson's account of the Pelew Islands* will concede that the king Abba Thulle and his brothers, especially Raa Kook, were, in all their nudity and want of acquaintance with white men, as delicately feeling and complete gentlemen as can be found in any nation of long-planted civilization; and I have at this moment an old, now departed, negro slave in my mind, whom I have never seen otherwise than obliging, polite, anticipating, dignified, true, and

* Account of the Pelew Islands, composed from the Journals of Captain Henry Wilson, wrecked on those Islands in the Ship Antelope, in 1783, by G. Keate, Esq.: 4th edition, London, 1789.

forbearing,—in short, a gentleman in his lowly sphere. As a matter of course, this can take place by way of exception only; but the more difficult the exception the more honorable is the instance.

A term which has so long a history as that of gentleman, and whose meaning has passed through so many phases, is, naturally, still used in many different senses; nor can the cognate words, such as gentility,* be expected

---

* The following extract—somewhat amusing to us in the middle of the nineteenth century, which is so deeply marked by broad, popular, national impulses—is taken from "Visions of the Times of Old; or, the Antiquarian Enthusiast," by Robert Bigsby, Esq., LL.D.: 3 vols., London, 1849:

"*Degrees of Gentility.*

"The grant of a coat-of-arms constituting, therefore, a valuable distinction, a mark by which certain parties are hereditarily to be recognized as superior in rank to the general body of the people, it necessarily follows that any usurpation of that privilege by others is an offence, both in politics and morals, which deserves and should always meet with a ready exposure and punishment. There are four several qualities or degrees of gentility arising from the grant of coat-armor. One who inherits a coat-of-arms from his father is styled a gentleman of

to correspond to one and the same sense of the main word. The different meanings of words branch out in different directions, and their derivatives and cognate terms branch out for themselves. It frequently happens, especially in the English language, that the adjective formed of a noun receives an additional

---

birth; if he derives it from his grandfather, he is termed a gentleman of blood; and if he succeeds to the same from his great-grandfather or other more distant progenitor, he is entitled a gentleman of ancestry; if he obtains the grant himself, he is simply a gentleman of coat-armor. From these facts it is readily seen, that when once a family is created by a grant of heraldic honors, it obtains at every remove from the founder an added dignity in the scale of descent, and an acknowledged precedency of worth and estimation, as compared with others of later origin. The admirers of ancient blood look with comparatively little respect on arms granted at a period subsequent to the reign of the Tudors, and venerate with an almost superstitious regard the possessors of arms deduced from the æra of the Plantagenets. There are still certain appointments connected with the court which can only be filled by gentlemen of ancient families; and it is much to be regretted that the good and wise regulation which excluded from the profession of the bar all but gentlemen of four descents of coat-armor was ever rescinded."

UNIVERSITY

meaning or one widely different from that which we would have a right to expect did the grammatical relationship alone furnish us with a sure guidance. These topics do not lie within the limits of our inquiry. Our endeavor is to ascertain and dwell upon the noblest and purest meaning which, consciously or unconsciously, is given to the term,—an adaptation which has legitimately developed itself in the progress of the race to which we belong.

The character of the gentleman produces an equality of social claims, and supersedes rank, office, or title. It establishes a republic of intercourse, as we speak of the republic of letters. Nowhere appears, and indeed nowhere can appear, this fact more strikingly than in the mess-room of a British regiment, where the colonel and the ensign, who, under arms, stand in the relation of the strictest military discipline, meet on the common ground of gentlemanly equality, and freely accord to each other the privileges to which every member of the great commonwealth of comity is fairly en-

titled. The character of the gentleman passes the bounds of states and tongues, and, without enfeebling our love of country (did it so, we would repudiate it), gives a passport acknowledged through the wide domain of civilization. In antiquity, almost every thing was circumscribed not only by nationality, but even by the mural confines of the city; in modern times, the freemasonry of a liberal education, of good manners, and propriety of conduct,—in a word, of a gentlemanlike bearing,—extends over entire hemispheres. It is a sway which is daily widening. Turkey is, perhaps, now in the very act of giving in her adhesion to the community of gentlemanly nations.

In order to place the type of the character, which we are contemplating, more distinctly before your minds, I feel induced to give you the translation of a passage which I found in a valuable French work, entitled "British India in 1843," by Count Warren. The author, a Frenchman, was educated at Paris, obtained a lieutenancy in a British royal regiment in

India, and served there during nine years. My translation is literal, and you will remember that the original was written by a Frenchman,—a consideration which gives peculiar force to some parts, and will induce you to make allowance for others on the score of French vivacity. Count Warren, speaking of his colonel and the aide-de-camp of the regiment, says,—

"I found in those two men a type essentially English, and, at the same time, a degree of perfection to which it is, perhaps, not given to Frenchmen to attain. The reader must have seen that I was not disposed to view the defects of English society with too indulgent an eye; I do not compare it, for a moment, with ours, as to engaging qualities, —urbanity, kindness, simplicity,—and as to all the delights which can render life happy, such as grace, *bonhomie*, and charming manners; but as we do not find the diamond in gold and silver mines, but in the layers of crumbled rocks and coarse sand, so do we find the most perfect type of man buried deep in the rude

elements of our neighbors: the perfect English gentleman is the Phœnix of the human species. There is wanting in Frenchmen, to attain to this height, nothing but a more elevated and intense sentiment of personal dignity, a more religious respect for the divine part which the Almighty has vouchsafed to men. There are few—I might say, there is not one—among us, who is a hero before his valet-de-chambre* or his most intimate friend. However excellent a Frenchman may be in

* I cannot allow this passage to appear again in print, without giving wider circulation to an excellent saying, which is ascribed to the philosopher Hegel, however little it may seem to be connected with the subject immediately in hand.

Great men were spoken of, when some one flippantly repeated the old saying that no one is a hero before his valet-de-chambre. "This is true," said Hegel, "most true; not, however, because no hero is a hero, but because a valet-de-chambre is a valet-de-chambre."

A community sinks very low when it loses the capacity of acknowledging greatness, and an individual caricatures in a despicable manner the calmness of a gentleman, when he interprets the Horatian *Nil admirare* as consisting in stolid indifference to the noblest and the worst things.

society before strangers or in the presence of ladies, his very *bonhomie* causes him at once to lower himself, so soon as he is alone with the friend of his heart, the companion of his studies, the confidant or messenger of his first follies. This results, I shall be answered, from an excess of two good qualities,—from our absence of affectation and the gayety so characteristic of the French temper; but we have also generally the defects of these two qualities,—an inclination to let ourselves go without restraint, impurity of thought and conversation,* exaggeration, and *harlequinade*,† which we are astonished to meet with at every moment in the gravest men and best minds. The perfect English gentleman never follows solely his impulses, and never lowers himself. He carries conscientiousness and the remembrance of his dignity into the smallest details of life. His temper never betrays him,

* *Grivois* in the original, which is, literally translated, smuttiness.

† The original is *Harlequinade*: I could not translate it *buffoonery*.

for it is of the same character with his exterior; his house might be of glass; every one of his acts can bear the broadest light and defy criticism. From this we see that the individual, whom we have delineated, is not a product purely indigenous: he must undergo several transplantations, respire the air of the continent, and especially of France, in order to attain to perfect maturity, and to get rid of certain qualities inherent in the native soil—disdainfulness, prejudices, &c. But, if education, circumstances, and travel have favored this development, it is of him, above all, that we may say, he is the lord of creation."*

The Duchess of Abrantes, as enthusiastically a French woman in feeling, opinion, and spirit, as ever loved *la belle France*, says, in her Memoirs, that she must relate an anecdote of Lord Wellington, when fight-

* "'*Avant tout je suis gentilhomme Anglais*,' was the preface of the fierce message sent by the then (1815) foremost man of the world to the King of France."—KINGLAKE, *Invasion of the Crimea.*

ing against her husband in Spain, "showing him in that favorable aspect which is really the radiant light surrounding the true English gentleman."*

So far our French authors, the first of whom is right in calling the character, designated the gentleman, a type peculiarly Anglican. It belongs to the English race; nor is it long since it has been developed in its present and important form. Lord Campbell, in his "Lives of the Lord Chancellors of England," says that one of the earliest instances of the word gentleman being used in the modern sense was when in 1640 the Commons, unwilling to vote supplies to Charles I. before settling their grievances, although the king had promised to give due consideration to the latter, were told by Lord Keeper Finch that they

* Vol. ix. p. 202, Paris edition of 1835. [It is with pain that now, in 1863, the author is obliged to add that an unfortunately large number of the English people have deviated from the course of gentlemanly frankness, sympathy, and largeness of heart towards a people manfully struggling for their imperilled country, ever since our civil war began.]

should freely vote the money, for "they had the word of a king, and not only so, but the word of a gentleman."* But so occurs a passage in Shakspeare:—"Sir, the king is a noble gentleman;" and Pistol calls himself, in Henry V., "as good a gentleman as the emperor." The passage, however, in which the poet seems to approach closest to the modern sense of the word, is that in which Antonio, a merchant, is called "a true gentleman."† Yet it cannot be denied that throughout Shakspeare's works—that surprising panorama of human life—the term gentleman is

* See note to page 561, vol. ii. of "Lives of the Lord Chancellors." Lord Byron distinguishes in a manner somewhat similar between nobleman and gentleman, when, in the preface to Marino Faliero, he observes that "it is the fashion to underrate Horace Walpole; firstly, because he was a nobleman; and, secondly, because he was a gentleman." In Prussia, characteristically enough, the term officer had acquired in some particulars the meaning of man of honor, of gentleman. "My lord general, on the word of an officer, I am far more of an imperialist than a Hanoverian," was said by Frederic William I.—RANKE, *History of Prussia*, English Translation, vol. i. p. 215.

† Merchant of Venice, III., 4.

almost exclusively used either for nobleman, or a man of the higher classes with polished and graceful manners; or its meaning is in a state of transition between the knight of high and sensitive honor, and the modern gentleman; but it hardly ever designates the true modern gentleman, although the word occurs nearly five hundred times, according to the laborious concordance for which the public is obliged to Mrs. Cowden Clarke.

You will, of course, not misunderstand the position I have advanced, that the present type of the gentleman is of modern development and Anglican origin, as if I could mean that there are no true gentlemen in other countries, or that there have been none in antiquity. All I can wish to convey is, that with other races, and at other periods, the character of the gentleman has not developed itself as a national type, and as a readily understood and universally acknowledged aggregate of certain substantial and lofty attributes; nor is there now, in any other language, a word corresponding in meaning

to the word gentleman, though all of Latin origin have words of the same etymology. Even in English, the word gentlewoman has not followed, in the modification of its meaning, the corresponding change in the signification of the term gentleman, though the word lady has done so upon the whole. The French word *gentilhomme* has retained the meaning which we give to the English word cavalier.

Instances of gentlemanliness in antiquity, or with other races, are not wanting. The ancient Dherma Sastra of the Hindoos ordain that a man who loses a law-suit shall not be liable to punishment if, in leaving the court, he murmurs or openly rails against the judge, —a law, it will be acknowledged, exclusively dictated by a spirit of gentlemanly forbearance. When Lycurgus treated Alcander, who had put out one of his eyes, with forbearance and even confidence, he proved himself a gentleman, as he did towards his nephew Charilaus, under the most tempting circumstances. When Cæsar, after the battle at

Pharsalia, burned the correspondence of Pompey, which might have disclosed to him the names of all his personal and most dangerous enemies, he acted as a gentleman; if, indeed, he did not throw a secret glance at them, which, from the general tenor of his life, we have, perhaps, no right to suppose. Alexander began his career as a high-bred gentleman towards friend and foe, and could never wholly disguise that nature had moulded him for one; but what with withering absolute power, intoxicating victories, and riotous intemperance, she was robbed of her fair handiwork. The pages of Prescott impress us with the sad belief that Montezuma was a gentleman, but he was not treated as such; for the Spaniards, punctiliously courteous among themselves, did not think it necessary to bear themselves as cavaliers—how rarely even as men!—towards the "unbaptized rabble." The French officer who, in the Peninsular battle, charged the English commander, but merely saluted him when he found that the latter had only the bridle-arm, and could not fight, was assuredly a

gentleman.* But we speak here of national types, of distinct classes of characters, clearly stamped by an imprint known and acknowledged by the whole people;† and as to antiquity, we need only remember the scurrilous

* Jotee Persand, a Parsee banker, was called by Lord Ellenborough, years ago, in the House of Lords, "a gentleman; for gentleman he is, remarkable for his gentlemanlike manners where all have such manners."

† We have a parallel case in the character of the philanthropist. There were mild and charitable persons in antiquity. The account of the Samaritan was felt and understood by every hearer. The ancient Hindoo lawgiver, who sublimely commanded, "Be like the sandal-tree, which sheds perfume on the axe that fells it," was inspired with more than mere philanthropy; yet the type of the philanthropist, that combination of attributes which we associate with the word, is a modern type, and was unknown in antiquity or the Middle Ages. There would be something strangely odd in speaking of an ancient Roman philanthropist, except it were done for the very purpose of indicating how the individual in antiquity anticipated the character and stood alone in his virtues, now connected with the term philanthropist. The type of the opposition member is another. There were citizens in ancient times, as in the Middle Ages, who, though opposed to the ruling power, did not brood over sedition or revolt: yet the loyal opposition member is a strictly modern type,—a noble and indispensable type, yet fully developed only since the times of George I.

invectives with which even the first orators did not think it beneath them to assail their opponents in the Roman senate or the Athenian ecclesia, to be aware that, in our times, a member would be instantly declared out of order and put down, were he to make use of similar language and resort to equal personalities, even in assemblies in which, to the detriment of public tone and public service, deviations from parliamentary decorum no longer form rare exceptions. Falsehood did not disgrace with the ancients, as it does with modern free nations.

It does not appear difficult to account for the fact that the peculiar character which we call the gentleman should be of comparatively late development, and have shown itself first fully developed with the English people. Each of the various constituents of this character required peculiar social conditions to come to maturity. The Middle Ages were at times—though not so often as is frequently supposed—sufficiently favorable to the development of chivalrous honor under the united influence

of an active love of individual independence, and a softening reverence for the softer sex. But one of the pervading characteristics of those angry times was that of exclusive privilege, contradistinguished from a broad acknowledgment of the rights of all and a willing recognition of humanity in every one,—shown even in a graduated duty of allegiance. Mediæval liberty was almost always a chartered one, extorted by him who had the power to extort, and grudged by him who had not the power to withhold. Modern liberty, on the contrary, is constitutional, that is, national, recognizing rights in all, covering the land, and compassing the power-holder himself. The ideal of modern liberty is that it be broadcast; the ideal of mediæval freedom was that of the highest amount and complex of privileges. Each privilege begets the desire of another in those who are deprived of it, and the idea of privilege implies that of exclusiveness; but that mediæval exclusiveness, and the constant feuds and appeals to the sword, prevented the growth of the collected

calmness, ready forbearance, and kind reciprocity which we have acknowledged as necessary elements of the modern gentleman.

Later periods, especially in the progress of manners in France, were propitious to the development of refinement and a polished deportment; but it was at the cost of morality, and took place under a daily growing despotism, which in its very nature is adverse to mutual reliance and acknowledgment, to candor and dignity of character, however favorable it may be to stateliness of carriage. Veracity is a plant which grows in abundance on the soil of civil liberty alone, and even there not always. The character of the gentleman, such as we now cherish it, was not, therefore, fairly developed, before the popular institutions and a broader civil liberty in England added a more general consciousness of rights, with their acknowledgment in others, a general esteem for candor, self-respect, and dignity, together with native English manliness and calmness, to the spirit of chivalry which, in some degree, was still traditional in

LIBRARY OF THE UNIVERSITY OF CALIFORNIA

the aristocracy, and to the courtesy of manners which perhaps had been adopted from abroad. The character of the cavalier was essentially aristocratic; that of the gentleman is rather of a popular cast, or of a civic nature, and shows in this, likewise, that it belongs to modern times. The cavalier distinguished himself by his dress,—by plume, lace, and cut; the gentleman shuns external distinction, and shows his refinement within the limits of plain attire.

The development of this type is owing, in a great measure, to the fact, important in all branches of English history, that, accurately and legally speaking, there is no nobleman in England. There are peers, but their sons are commoners. They had the aristocratic breeding, lofty aspirations, and also the aristocratic disdain: still they were legally common citizens, and in a generation or two became, frequently, practically so. On the other hand, the large landholder, though undistinguished by nobility, felt, descending as he often did from the Norman conquerors, that he was

what the nobleman on the continent was, where his name would infallibly have been distinguished by that particle which designates the nobleman. Yet the richest landholder, if not made a peer, was the plain Mr. A. or B. Here was the middle ground: this formed the palpable transition.

I find a book, of which the twelfth edition was published as late as the year 1755, with the title, "The Gentleman Instructed in the Conduct of a Virtuous and Happy Life. Written for the Instruction of a Young Nobleman. To which is added a Word to the Ladies. In two volumes."

The title illustrates what I have said; and throughout the work the term gentleman means a person of high birth or standing in society.* The moral reflections consist in urging the necessity that the gentleman should in conduct and virtue rise to this elevation, already existing, and making him the gentleman.

* Dr. Johnson's definitions of the word gentleman show the same.

The character of the gentleman includes whatever was valuable in the cavalier and the earlier knight, but it stands above him, even with reference to that very element which constituted a chief attribute of the cavalier,—to honor. Untarnished honor depends in a great measure upon truthfulness; and it is a cheering fact, that the world has become more candid within the last two centuries. The details of the history of domestic intercourse, of traffic, of judicial transactions and bribes, of parliamentary procedures, of high politics and international affairs, bear us out in this position, however painfully we may even now, far too frequently, be forced to observe infractions of the sacred law of plain-dealing, religious candor, and gentlemanly veracity in individuals and in governments.*

In ascribing greater veracity to the people

* Truthfulness obliges us to add that the meaning of the last remark has become sadly intensified within the last ten years. May it be but a transient reflux in the general progress of humanity!—[Added in the year 1863.]

of free countries in modern times, I may appear to gainsay other and distinguished writers. Montaigne actually says, that we moderns punish the charge of a lie so severely, which the ancients did not, because we lie habitually much more, and must save appearances. But Montaigne wrote in France, at an evil period; and we may well ask, besides, whether antiquity with all its details was vivid in his mind when he penned that passage. If the position I have advanced be wrong, I have, at any rate, not hastily come to it. I *am* convinced that there is at present more truth in the intercourse of men, although we speak and write less bluntly. Who has studied history without meeting occasionally with acts of deception, which we find it difficult to understand, because at present public opinion would frown upon them and utterly disgrace their authors? When in modern times a flagrant act of "adjourned veracity" has been detected, the peccant, though they be emperors, show themselves anxious to remove the stain. Were there not times when

high officers and statesmen gloried in successful deception? We are not, individually, better before an omniscient eye, that sees all our potential crimes and vices; but public opinion keeps us straighter and accustoms us to better things. And public opinion has acquired this power, because it can widely speak out, from nation to nation.

Let me give you a striking instance how lightly veracity was held in those times, so frequently called chivalrous. I, with many thousands, revere the memory of Dante,—of him who stands with Homer and Shakspeare in the foremost line of the high-priests of song. It is for this reason that I have ever read with deep aversion the occurrence with Friar Alberigo, in his Inferno,—an eminently ethical poem,—indeed, *that* of the great poems produced by our race in which morality forms as active and producive an element, as heroism in Homer; Man, in all his phases of action and in his various types, in Shakspeare; or the individual, in his subjective enjoyment and suffering, in Goethe.

In this immortal poem, Dante sings, that he came to a frozen lake in which the damned suffer from everlasting cold and have their first tears frozen in their eyes, so that all the others which the lost ones ever weep burn inwardly. There he asks one of the despondent who he is. The suffering sinner begs him first to remove his frozen tears, that for once he may enjoy the long-missed luxury of weeping,—weeping a little only. First, replies Dante, tell me who thou art, and then I will do thy desire, "and if I do not extricate thee, may I have to go to the bottom of the ice." The wretched convict of hell confides, tells his story, and piteously adds, "Now reach thy hand and open my eyes;" but Dante says, "And I opened them not for him, and to be rude to him was courtesy." Thus representing himself in a song he knew he was singing for all his country and for posterity, in an act of meanness* that must shock every

* Nor does Dante present himself more as a gentleman in the thirty-second canto, where he describes himself as pulling out the hair of Bocca.

candid man. It is not "sickly philanthropy" in us that makes us feel thus; it was not overwrought religion in Dante that could induce him thus to represent himself: it was a morbidness produced by harsh dogmas, such as we find it again and in action, in the Spaniards towards the Mexicans and Peruvians, that could cause Dante to sing his own abandonment of veracity, of pity, and a sinner's sympathy with sinners forever lost.

Where so many distinct attributes, held in high and common esteem, are blended into one character, we must be prepared to meet with corresponding caricatures or mimicking impersonations of trifling dispositions and depraved passions. All noble things have their counterfeits, and every great idea or exalted type has its caricature in history. So is the saint's counterfeit the hypocrite; the patriot is caricatured in the demagogue; the thrifty husband in the miser; the frank companion in the gossip; the chaste in the prude; the sincere reformer in the reckless Jacobin, and the cautious statesman or firm believer in

the necessity of progressive improvement, distrusting abrupt changes, in the idolater of the past and the Chinese worshipper of the forefathers. In a similar manner, we find the sensitive honor of the gentleman counterfeited in the touchy duellist; his courage by the arrant bully; his calmness of mind by supercilious indifference, or a fear of betraying even the purest emotions; his refinement of feeling by sentimentality or affectation; his polished manners by a punctilious observance of trivial forms; his ready compliance with conventional forms, in order to avoid notice or giving offence to others, or his natural habit of moving in those forms which have come to be established among the accomplished, by the silly hunter after new fashions, or a censurable and enfeebling love of approbation; his liberality by the spendthrift; his dignity and self-respect by conceit or a dogged resistance to the acknowledgment of error or wrong; his candor by an ill-natured desire of telling unwelcome truths; his freedom from petulance by incapacity of enthusiasm; his composure by egotism,

and his aversion from vulgarity by a pretended horror at coming in contact with fellow-men of a different set or class, and by an indifference to the motives which incite vast masses to action, in the same proportion as these motives are general. But these reflections from distorting mirrors do not detract from the real worth and the important attributes of the well-proportioned original; nor can it be said that this character has been set up as a purely ethical model in spite of religion. I am convinced that it was possible to conceive this character in its fulness only by the aid of Christianity, and believe—I say it with bowing reverence—that in Him to whom we look for the model of every perfection we also find the perfect type of that character which occupies our attention.

It seems, then, plain that, in placing before us the character of the gentleman as one of the models of excellence, we do not allow the nimble hand of *neomaniac* fashion to substitute a puny idol, decked with tinsel imitations of substantial gold, for the true and lasting

patterns of virtue and religion; nor can you fail to perceive the vast practical importance of an active, ready, inward gentlemanliness, from which a gentlemanlike conduct as naturally results as the spontaneous effect from any healthy organism.

In all spheres of our lives there occur many acts of so complex a nature, that, if they are submitted to a long process of reasoning, which possibly may appear the more impartial the more heartlessly it is undertaken, they will allow of a perplexing number of arguments for and against, of bewildering precedents on either side, and of distinctions more embarrassing than unravelling, so that in the end we see our way less clearly than at the beginning,—acts from which, nevertheless, a mind instinct with genuine gentlemanliness will shrink at once, as being of doubtful candor, dangerous to honor, of suspicious honesty, or inclining to what is illiberal or undignified. No merchant or artisan, no advocate, statesman, teacher, or minister,—no citizen, in whatever circle he may move—no husband

or friend, none of you, in your preparatory spheres, can avoid being called upon promptly to decide in cases of this nature. Acts somewhat tinctured with what we would call unhandsome, or slightly tainted with what may be mean, cannot always be distinctly discerned as such by the reasoning faculties; and yet such acts are dangerous, because they are infusions of impurity into our soul, where nothing is at rest, but every thing, good or evil, is in constant assimilating activity,—a psychological law which is subject to far fewer exceptions, if any, than the corresponding law of assimilation of matter in the animal body.

History is full of these instances; daily life surrounds us with them; and although the pure principles as well as precepts of religion are invaluable, and of the greatest importance to all ethic vitality, and for which indeed you can find no substitute, search where you may, yet a keen and instinctive sense and glowing love of honor, watchful and prompt self-respect, and habitual recoiling from what is low, vulgar, coarse, and base in thought, feeling,

deed, or manner, form an active moral coefficient, or, if I may say so, an additional faculty quickly to receive impressions, upon which religious consciousness decides and works.

Young gentlemen, a clear and vigorous intellect is, in the perception and application of moral truths, as important as in any other sphere of thought or action; but the general state of the soul and the frame of mind are of greater importance; while no one will deny that gentlemanship, taken in the sense in which the word has been used here, contributes to a pure general frame of mind. Forgetting the primary importance of the purity of the soul, and the belief that the morality of human acts is ascertained by a minute weighing of their possible effects upon others, and not upon the actor himself, or by subtle definitions of the millions of acts which may occur in our lives, is one of the radical and besetting vices of the Jesuitical casuists, of an Escobar, Sa, Busenbaum, Bauny, Suarez, and innumerable other *doctores graves*, as they are styled by their own order,—a vice which

led them to rear their amazing system of turpitude, in ethics, and of teaching the most absolute and abject obedience to religious superiors, and at times the most disorganizing doctrines in politics.*

It will be scarcely necessary here to mention the question, unfortunately still at times moved, whether a man be safe if he make the law of the land the sole standard of his moral conduct. To put this question shows the utmost confusion of morals and politics, of the righteous and the legal, of the law written in our heart and the statute printed in the book; of the commandments of virtue, the resistance to which must remain possible, or we should lose our moral character, and the ordinances of civil authority, which must be enforced and complied with, though it be only

---

* Ellendorf, a Catholic priest, mentions three hundred of these *doctores graves* in his work, Morals and Politics of the Jesuits, according to the Writings of the most renowned theological Authors of this Order, with the motto: By their fruits ye shall know them. Darmstadt, 1840. It is of all Catholic works far the severest against the Jesuits with which I am acquainted.

LIBRARY OF THE UNIVERSITY

because a penalty threatens the transgressor; of the codes by which fellow-men judge a few acts of ours here beneath, and that one code by which our Maker judges our whole soul above. It shows a confusion of the highest moral idea—holiness—with a written specification of prohibited acts; and it simply proves that he who can put this question does not know what the object of government is. But it seems to be certain that, comprehensive as this error is, a clear perception of the obligations of the gentleman is one of the safeguards against falling into it. There are thousands of actions which a gentleman cannot find the heart to perform, although the law of the land would permit them, and ought to permit them, lest an intermeddling despotism should stifle all freedom of action. Political and positive laws are not intended to be substitutes for our conscience, or the sole, or even the chief, guides of our conduct through life.

A man may be a heartless husband, a cruel or foolish father, a degenerate son, an unfeeling brother, an ungrateful pupil, or an undutiful

teacher; he may be a careless guardian, an irksome neighbor, a hard creditor, or worthless citizen and unprincipled politician; he may be uncharitable, coarse, captious, indolent, mean, false, cowardly, selfish, sordid, and fanatical; he may be intemperate, obscene, and impious; he may be morally and physically repulsive in every way, and a hundred times worse than many whom the law has justly struck; and yet he may pass through life unscathed by justice, possibly for the very reason that he *is* a mean and selfish man, who knows well how to subordinate his passions to calculating egotism. Justice and liberty cease that moment when the law strikes aught but palpable acts; yet a person may leisurely travel the whole round of infamy and still guardedly keep from within striking-distance of the law. It ought to be so; but the law does not sustain infamy on that account: the law is not the code of our soul; the constable is not the substitute for our conscience.

My young friends, if you apply the charac-

teristics of the gentleman, as I have felt myself justified and obliged to point them out, to man's practical course, you will find, first, as to our daily life and personal intercourse, that the calmness of mind, which we have acknowledged as a constituent of the character of the gentleman, naturally leads him to use temperate language, and prevents him from indulging in careless vulgarity, unmanly exaggeration, or violent coarseness. Dealing in superlatives, substituting extravagant figures of speech for arguments or facts, and interweaving our discourse with words of the gravest import used as profane expletives, while it shows want of taste, proves also a consciousness of weakness, which may consist in the character of the speaker and the argument, or in his habitual perception that he is not able fully and forcibly to deliver his thoughts and feelings. Men who are in the habit of thinking clearly, and have learned to speak promptly, perspicuously, and vigorously, are not those who deal in profane invocations or revolting imprecation; and it *is* an attribute

of the accomplished gentleman to deliver himself with propriety and to speak well, "there being nothing more becoming a gentleman, nor more useful in all the occurrences of life, than to be able on any occasion to speak well and to the purpose." These are the words of a wise man and a shrewd observer,—of Locke in his "Essay on Education;" and if perhaps the philosopher alludes, in this passage, more particularly to speeches and debates proper, I must beg you to observe likewise that, important though they be, the daily conversation is more important, as the comfort, decency, and salubrity of the common dwellings of men are still more important than the chaste propriety or lofty style of public edifices. The kindness of his feeling prevents him from vaunting; moroseness and asperity are foreign to him; and his forbearance as well as generosity make him the safe keeper of secrets, even without the special exaction of secrecy. He is not meddlesome; and it is a principle with him not only to keep positive secrets, but to abstain

from talking about the personal affairs of others as a general rule, to be suspended only when there is a positive and specific reason for so doing. The discourse of the gentleman turns chiefly upon facts, not persons. He keeps a secret, even though it give him power over an antagonist, *because* a secret of this kind *is* power, and a generous use of all power is one of the essential attributes of the true gentleman. Nor does he indicate that he possesses a secret; for doing so is vanity, and conceit and vanity are undignified and lower the person that harbors them. His polish makes him the civil attendant upon the weaker sex, but his essential refinement does not allow him to carry this necessary element of all civilization to a degree of caricature, in treating women as if they were incapable of argument, and must forego the privilege of being dissented from, or of arriving at truth by their own reasoning. He shows instinctive deference to old age, and respect to superior authority. In discussions, he shows his true character not only by his calmness and by

abstaining from offensive positiveness, but also by the fairness of his arguments. He does not recur to those many fallacies which, though they belong to vulgar minds, or whose employment shows that we consider our adversaries as such, are, nevertheless, not without effect in brisk disputes. The well-bred gentleman gladly seizes upon those minor yet delicate attentions which, though apparently trifling, are cheering tokens of a friendly heart, and may be compared to graceful flowerets growing by the roadside of the rugged and toilsome path of life. His habitual candor will make him, to use a familiar term, "off-hand" in his intercourse with friends; he delights in serving others, and, in turn, feels the luxury of being grateful. Above all, it pains him to give pain; and he does and feels all that we have mentioned, without affectation, selfishness, or pedantry.

Let us, on the other hand, apply our principles to some of the most prominent professions or situations in practical life, such as it has formed itself with our race. Whichever

field, young gentlemen, you may choose for your future labors in practical life, it is necessary that you carry the standard of the gentleman with you, and that now, ere the manifold temptations of busy life beset you, you fix it firmly in your soul by daily practice.

Those of you who intend to become divines must remember that the importance and very meaning of the minister's calling are founded upon a constant intercourse with men whom he has to teach, to guide, to save,—an intercourse depending for its usefulness upon the confidence reposed in his sincerity of faith, purity of morals, prudence, and honorable bearing. You will have no other power to support you. The government does not build your churches. If a congregation are convinced that their pastor is a true Christian, a learned divine, and a perfect gentleman, he has the strongest hold on their confidence in him. He must not forget that the pulpit gives him a periodical and frequent opportunity of speaking to large numbers without

reply. This is power, and requires, like every power, to be wielded in a gentlemanlike manner, if its possessor wishes to secure himself against his own abuse of it. If, on the other hand, the divine descends into the arena of controversy,—which, however undesirable, it does not always depend upon him to avoid,—he can hardly inflict a severer injury upon his sacred cause than by exhibiting to the world, and calling forth in his adversaries, bitterness of spirit, unfairness of argument, or passionate, gross, and abusive language,—in short, the conduct "unbecoming a gentleman." The great cause of the Reformation was immeasurably injured by the undignified and even scurrilous character of many controversial writings on both sides, in a degree which makes us still bear the consequences, and which greatly interfered with the diffusion of truth over Europe. Let no one persuade you that this vehemence, as the ungentlemanly bitterness and rudeness are sometimes called by way of euphemism, was necessary against violent enemies, and according to the spirit

of the times. It is as bigoted as to say that so selfish and sanguinary a despot as Henry VIII. was necessary to break up the convents. No great and enduring cause stands in need of low or iniquitous means; and every low, vulgar, or heartless word engenders two and three in reply. That which is great and true is best promoted by means high and pure.

Others of you will enter the profession of the law. They will avoid many dangers incident to this profession, by loyally adhering to the character of the gentleman. The advocate, in our country and in England, enjoys high privileges,—that is, power. Probably it is not desirable or feasible to check its abuse in all cases: at any rate, as matters stand, he can frequently abuse it without the probability of being restrained. It becomes, therefore, the more necessary that he check himself. I do not now speak of that in a lawyer's practice which is censurable upon the broad and immutable principles of morality, and from which the profession of the advocate does no more absolve than any other calling.

What a degradation of the lawyer if, like the Japanese wife, he were incapable of doing wrong!* Nor do I speak of "those too common faults," as the great lawyer Matthew Hale said, "of misrepresenting evidence, quoting precedents or books falsely, or asserting any thing confidently by which ignorant juries or weak judges are too often wrought upon."† I believe these trespasses are now far rarer. Nor shall I dwell upon the fact that a gentlemanly spirit must needs be a safeguard against becoming a "leguleius quidam cautus et acutus, præco actionum, cantor formularum, auceps syllabarum."‡ The pettifogger and the *legicrepa*, as the Low Latin had it, are the opposites to the gentleman advocate,—one of the finest types of the citizen of a free country. Nor need I mention that it is incumbent upon a judge to move scrupulously within the

---

* But, then, the Japanese husband is answerable for his wife; who is answerable for the advocate?

† Burnet's Life of Sir Matthew Hale, p. 72.

‡ Cicero, in Oratore, fragm. ap. Augustin I, 3 contra Acad. c. 7.

limits of the gentleman, if it be incumbent upon any one in the wide range of civilized society. I pass over all this, as plainly obvious; but I must mention to you, inexperienced as you are, that lawyers not unfrequently, here as well as in England, allow their zeal for the client or the prosecution to make them visibly swerve from the path of the gentleman.

However close and searching your examination of a witness may be, you are bound by all the laws of morality, by all the principles of high-mindedness, and by the meaning of the institution of the advocate itself, to behave as gentlemen towards him whom the laws of your society place for a time in an irksome situation and make dependent upon you. You are bound by all that is sacred and gentlemanly not to use those means and artifices towards a helpless and uneducated witness, which a witness of education and standing would quickly stop by an appeal to the bench. You are bound to follow the plain and direct dictates of an ingenuous man, in the simplicity of his heart,

LIBRARY OF THE UNIVERSITY OF CALIFORNIA

and clearly to remember that the practice of every profession, be it that of the lawyer, the army, the church, the author, the physician, the navy, or any other, has a natural tendency to blunt or misdirect the feelings of its votaries in complicated cases of professional morality. A usage perhaps correct in the main is laid down in a sententious manner, perhaps in Latin, and soon it becomes a cruel bed of Procrustes, while the professional *hauteur* makes deaf to all protests of the non-professional. Nearly all great reforms have begun with those who did not belong to the respective profession, or to the successful competitors in the respective hierarchy.

Lord Brougham, when counsel of the accused queen of George IV., used this language: "An advocate, by the sacred duties which he owes his client, knows, in the discharge of that office, but one person in the world,—that client, and none other. To save that client by all expedient means, to protect that client at all hazards and cost to all others, and, among other things, to himself, is the highest and

most unquestioned of his duties. He must not regard the alarm, the suffering, the torment, the destruction, which he may bring on any other."

These words, logically considered, absurd, morally monstrous, psychologically interesting,—for they show how far a mind of a very high order may err when in hot pursuit of a professional end,—will strike you, not yet hardened by the peculiar ethics of a class or profession, as I have designated them; but, what is more, they have actually been repeated approvingly as an authority by professional writers.*

* They have also found their deserts. Mr. Kimball, quoting them in his "St. Leger, or The Threads of Life," says, "A more monstrous doctrine, I do not hesitate to say, was never broached. There is no such thing, there ought to be no such thing, as the morality of the advocate as distinguished from the morality of the man. The most that the advocate can assume, either in criminal or civil cases, is to be clothed with the rights and duties of his client. That client has no right to fabricate, to prevaricate, or to falsify, for the sake of a defence; neither has the advocate a right to do it for him. The *rationale* of an advocate's labors is, that he is engaged in

Let me give you another quotation, taken from a biography of the famous Mr. Curran.

"It was the object almost with every one to preoccupy so successful or so dangerous an advocate; for, if he failed in inducing a jury to sympathize with his client, he at all events left a picture of his adversary behind him which survived and embittered the advantages of victory. Nor was his eloquence his only weapon: at cross-examination, the most difficult and by far the most hazardous part of a barrister's profession, he was quite inimitable. There was no plan which he did not detect,

---

trying to find all the evidence of the truth on one side, his opponent seeking similar evidence on the opposite, judge and jury putting two sides together in getting at the whole truth.

"Falsehood is no element of truth; and to pretend that an advocate is at the command (and for money) of a confessed felon or admitted swindler, is to take a very low position for the bar. For one, I have never seen any difficulty in this subject. I do not believe an advocate has any right to say or do for his client what he would not say and do for himself; and, as he would not (if a true man) either misstate or mystify, color or conceal, in his own behalf, how can he do these things in behalf of another?"

no web which he did not disentangle; and the unfortunate wretch who commenced with all the confidence of preconcerted perjury, never failed to retreat before him in all the confusion of exposure. Indeed, it was almost impossible for the guilty to offer a successful resistance. He argued, he cajoled, he ridiculed, he mimicked, he played off the various artillery of his talent upon the witness; he would affect earnestness upon trifles, and levity upon subjects of the most serious import, until at length he succeeded in creating a security that was fatal, or a sullenness that produced all the consequences of prevarication. No matter how unfair the topic, he never failed to avail himself of it; acting upon the principle that, in law as well as in war, every stratagem was admissible. If he was hard pressed, there was no peculiarity of person, no singularity of name, no eccentricity of profession, at which he would not grasp, trying to confound the self-possession of the witness by the no-matter-how-excited ridicule of the audience. To a witness of the

name of Halfpenny he once began, 'Halfpenny, I see you are a *rap;* and for that reason you shall be nailed to the counter.' 'Halfpenny is *sterling,*' exclaimed the opposite counsel. 'No, no,' said he; 'he's exactly like his own conscience,—only *copper-washed.*' This phrase alluded to an expression previously used on the trial."

And now I simply ask these questions:—

Is this the picture of a gentleman and an upright man? When such practices were lauded and raised advocates into distinction, no wonder that Dr. Arnold besought his best pupils not to select the profession of the bar, as most dangerous to an upright man and a gentleman.

Where were the judges, to check such outrages and low practices,—to protect the witness?

If every stratagem is allowed in law as in war, and if with equal right the merchant says, "A trick in trade, &c.;" if the diplomatist considers cunning and circumventing the essence of his trade; if the politicians say,

and they have done so in print, "Every thing is allowed in politics;" if the officers of the army say, and they have done so in many countries, "The soldier has no honor except absolute obedience to the king;" if the priests say, and they have done so, that "for the greater glory of the Church," nothing must be conceded to the opponent, and every evil, even crimes, within the church, must be concealed; if political partisanship induces even divines publicly to defend a fearful outrage, because committed by political vengeance; if the zealot justifies "pious frauds;" if princes break their solemn oaths for "reasons of state," and others are applauded for throwing them to the winds, in order to obtain a crown, provided they are successful though it be with torrents of blood; if the pupil, acknowledging a lie to be dishonorable, still maintains it may be indulged in if proffered to a teacher; if citizens, otherwise respectable, consider a custom-house oath of no very binding power; if truth is jostled like an inconvenient guest out of the particular house of every one, though acknowledged as

a most honorable visitor by every one in general, where shall it find an abiding-place? And if common truth and common honesty be thus driven from our doors, how can a gentlemanly conduct—and, still more, how can that holiness which is the stamp of the Christian religion, marking it from all others—be honored without the deepest hypocrisy?*

* In the first and second editions of this composition, I gave at this place the case of Courvoisier and the conduct of his counsel, who, as it was then universally understood and remained for years uncontradicted by Mr. Phillips himself, had the confession of the prisoner that he had murdered Lord William Russell, yet called on the Most High as a witness that he, counsel, believed the prisoner innocent, insinuated that a female fellow-servant of Courvoisier might have done the deed, charged a respectable witness with perjury and with keeping a house of ill repute, and called the police-officers, who detected his client, a pack of ruffians. The case excited the greatest attention, and produced a number of articles, reviews, and other writings. Mr. Townsend, in his "Modern State Trials," defended Mr. Phillips, and gives his views on the duties of counsel. Both are unsatisfactory and inconclusive. In the year 1849 the London Examiner returned to the charges against Mr. Phillips, and his friend Mr. Samuel Warren begged him to take notice of the charges and to refute them. Mr. Phillips then published

Let me not be misunderstood. I consider it every way necessary that an indicted pri-

a statement, for which I refer the American reader to the Appendix of "Professional Ethics," by George Sharswood, Philadelphia, 1855. The author gives on page 41 a number of publications on the subject; but the inquiring reader ought, in addition, to read the London Examiner of November, 1849, or the London Spectator, 24th November and 1st December, 1849. This is not the place to investigate whether the odium has been wholly removed. Mr. Phillips's declaration that he had a most fearful night when the murderer, after confessing to him, sent him a message to the effect that he considered his life in Phillips's hands, seems somewhat surprising. Courvoisier "had confided in him." Confided in him, of course, as legal counsel. But, even if not, am I bound by extraordinary scruples if a murderer, blood-begrimed, rushes into my house, states his deed, and asks for shelter? I still think Mr. Phillips ought to have declined serving as counsel after the confession, for as a truthful man he could not do justice to his client, or else have closely limited himself to a watchful care that nothing but the law be adhered to. Nor does the invocation of the Deity seem wholly to be removed, although it was not in the repulsive form as first charged. The London Spectator of 1st December, 1849, in an article headed Morals of the Bar, boldly says, "But the charge which has been made against Mr. Phillips is one that might in its material substance be made against the bar generally,—one that has been against it for years."

Although the following extract is long, I give it, from

soner have his defender, that is, counsel learned in the law, who, however criminal or obviously

---

the London Spectator of 19th April, 1851, because it is pertinent, and because such occurrences are not officially reported:

"The opinions delivered by Mr. Baron Martin on the proper function and responsibility of the bar, at a trial of the Central Criminal Court on Saturday, will probably have excellent effect in unventilated moral regions of the Old Bailey. John Moss, servant of Mr. George Brettle, was indicted for stealing from his master a telescope, clothing, and other articles of personal property, worth 100*l*. Mr. Brettle is a partner of the eminent city firm bearing his name: as a bachelor he lived in the Albany; he lately married; and on leaving the Albany he discovered how his valet had plundered him. For the defence, Mr. Mew held the brief of some friend who had been retained; and he endeavored by cross-examination of Mr. Brettle to elicit some facts of a personal and private nature, on which the inference might be founded that the property had been given to Moss to procure his silence. Allusion was made to a lady with whom Mr. Brettle had intimate relations before his marriage, but who is now dead; and a demand was made for inspection of Mr. Brettle's check-book. After much persisting, however, it seemed that the defence consisted solely of innuendo; nothing was elicited to justify the insinuations; and the jury observed, aloud, that the questions had nothing to do with the merits of Moss's defence. Baron Martin remarked that he had long entertained the same opinion, but he and the jury must give the counsel credit

convicted his client may stand at the bar of justice, shall still watch that the prisoner re-

---

for having some proper object in view; his was the responsibility, and if in his discretion he thought fit to persevere, the court could not prevent him. Mr. Mew stated that he was acting strictly from his instructions; and he averred that it was important these questions should be answered.

"The foreman of the jury (with warmth).—'I can only say, I would much rather be robbed by my servant to any amount, and say nothing about it, than get into that box as a witness, if I am to be subjected to an examination into all my private affairs by the counsel for the prisoner.'

"Mr. Mew still insisted upon looking at the counterfoils and the check-books.

"Mr. Ballantine, the counsel for the prosecution, said that he thought before one gentleman took upon himself to examine the private check-book of another gentleman, he ought at least to state what was his object in doing so.

"Mr. Baron Martin said he had already given an opinion upon the subject of the course of cross-examination, and he must leave the matter to the learned counsel's own sense of propriety and discretion.

"Mr. Mew then sat down, without asking any further questions.

"The case went to its conclusion, and the prisoner was found guilty. The jury unanimously resolved to express, through their foreman, their extreme disapprobation of the manner in which the defence had been conducted by the counsel for the prisoner, and to state

ceive nothing but what the law decrees, and enjoy all the advantages which the law may

---

their opinion that such a line of defence is calculated to defeat the ends of justice, by deterring persons from coming forward with evidence against servants who have robbed them. Mr. Baron Martin stigmatized the offence as very abominable; there had not appeared the slightest justification for the defence: no doubt the prisoner had possessed himself of the check-books for the purposes of extortion by making known matters that had occurred before the marriage of the prosecutor. Sentence, transportation for ten years.

"Mr. Mew again explained that he held the brief for an absent friend, and that he had acted only on his instructions: he urged that if there were any blame it should fall not on him, but on the person who prepared the instructions.

"Mr. Baron Martin said he had intimated during the trial that the course which was taken was an improper one, and he still entertained the same opinion. Counsel are not bound to act upon instructions where it is evident that they are of an improper description; but it is their duty to exercise a discretion in such matters; and if they fail to do so, a great deal of that confidence which subsists between the judges and counsel will be destroyed. If he had been concerned in such a case, whether for a friend or on his own account, he should certainly have felt it his duty to refrain from acting upon such instructions, or from making use of such materials as had been furnished for the defence of the prisoner in this case."

The following happened at another time:—Harrison,

positively grant or not positively withhold. In order to obtain this important end, it is necessary that every advocate consider himself pledged to grant his services to whomsoever may apply for them. The "custom" of the English bar, settled by repeated decisions of the bar itself, is to accept any retainer as it comes. It is considered "ungentlemanly" not to do it, unless there be particular and urgent reasons for declining, such as abhor-

---

a grocer at Brixton who kept a receiving-house, was convicted of stealing a post letter containing a check for 16*l*. The check was cashed on the afternoon on which it was posted; and the prisoner paid away two five-pound notes which were given by the bankers in change for the check. The attempt at defence, by Mr. Ballantine, was rather remarkable. He insinuated that the letter might have been stolen by the man who carried the letter-bag from Brixton to London,—a very improbable suggestion, as no explanation was attempted of the manner in which one at least of the notes came into Harrison's possession the same evening; nor was any evidence offered against the letter-carrier. Both Mr. Baron Alderson and Mr. Justice Coleridge checked the counsel in his reckless course; and on the second interference of the bench, Mr. Ballantine desisted from his charge against the letter-carrier. The sentence was two years' imprisonment.

rence of the very principle to be established. It happened in Erskine's life that he was retained for "the First Regiment of Guards;" but it was found that the "First Regiment of Guards" is no legal person that can appear in court. It became necessary, therefore, to drop the name of the First Regiment of Guards and to substitute the names of individual officers. The attorney of the opposite party sent at once his retainer to Erskine; for he was no longer retained by the regiment, and not yet again retained by the persons substituted for it; and, however distasteful to the great advocate this particular case happened to be, he declared—and it is the general opinion in England—that it is one of the most important *rights* of the subject, that every advocate must allow himself to be retained, so long as he is not retained by the opposite side.

If an advocate happen to know the foulness of a transaction which he is called upon to defend, he must decline; but, in doing so, the utmost circumspection and a very high degree

of conviction are requisite; for he must not forget that by his declining he in a degree prejudges a case still to be tried. It is in this sense, I believe, that we must understand the words of Tronchet, the counsel of Louis XVI., when at the bar of the Convention. Tronchet said, "Every man thus publicly called upon to defend an accused person cannot decline his services without taking upon himself the responsibility of pronouncing a judgment,—precipitate [his word is *téméraire*] before the examination of the case, and barbarous after it."

There is no fairer occurrence in our Revolution than the defence of the British soldiers who had killed and wounded a number of citizens at the tumult in Boston, on the 5th of March, 1770. Their bold defenders at the bar of justice were John Adams and Mr. Quincy, both young and ardent patriots, and for that reason implored by the father of the latter not to defend "murderers." They simply answered that the soldiers had not yet been tried; and in doing so they may have shown more courage than Socrates did when

he defended Theramenes; for it requires greater resolution to face the indignation of your fellow-patriots or of your own family than to brave the power of hated tyrants.

It was noble when M. de Martignac, dismissed from the ministry by Prince Polignac, nevertheless defended the latter after the revolution of 1830, because called upon to do so by Polignac, when arraigned before the peers. All this is as it ought to be; but the advocate is not therefore absolved from moral obligations, as the barrister in the case alluded to must have presumed.*

If advocates were the only persons on earth who stand absolved from the obligations of truth, morality, and justice, society would have placed itself under a very absurd despotism, and their whole order ought speedily to be abolished. It is, on the contrary, a fact that the institution of the advocate exists everywhere along with civil liberty, and is indis-

---

* The case alluded to is the one I have now suppressed.

pensable to it:* therefore, let them be gentlemen.

The prosecuting officer, on the other hand,

---

* I have dwelt on this subject more at length in the chapters on the Judge, Jury, and Advocate in "Political Ethics." The enemies of civil liberty know well the importance of the institution of the advocate for civil liberty. Archbishop Laud and Earl Strafford show, in their correspondence, the most inveterate hatred against lawyers, without whom, they confess to each other, it would be easy to establish the king's "absolute" sovereignty, their adored idol; and Duclos (page 335, vol. 76, of Collect. des Mémoires, second series) says that the foreign ministers applauded, in the name of their masters, the regent, Duke of Orleans, for having repressed *ces légistes* (in 1718), that is, having incarcerated three presidents of the Parliament. Laud and Strafford, however, ought not to have forgotten those lawyers who, as Audley, successor to Sir Thomas More, urged it as a claim to promotion, "had willingly incurred all manner of infamy to serve the government."

Previous to my writing the "Character of the Gentleman," I had dwelt on the duties of the advocate in my "Political Ethics" and in my "Legal and Political Hermeneutics." Since then I have endeavored clearly to fix the position of the lawyer in the great politics of modern free nations and to ascertain the boundaries of their privileges derived from it, in my "Civil Liberty and Self-Government," where I speak of the high position of the advocate as one of the guarantees of our Anglican liberty.

must not forget that the indicted person is placed in his power, which he may abuse seriously, scandalously, and in an ungentlemanly manner, as history most amply shows; that the prisoner is yet to be tried; that the object of the trial is justice, not to oppress, worry, or hunt down the prisoner, or to asperse his character so foully that, though he may be acquitted, his reputation may be ruined for life, and that too, perhaps, merely by insinuations. In the course of your studies you will find instances of what I say in Sir Edward Coke and in Bacon,—him who would never have been so deplorably wrecked that he saved little more than immortal fame of intellect, had he felt like a gentleman instead of cringing before a James and fawning upon a Buckingham, being ready for their least commendable work. Bacon was, unfortunately, void of dignity and honor.* Earl Strafford

* With sadness, indeed, we find a new and appalling confirmation of Pope's "greatest, meanest of mankind," in the lately renewed inquiry into the trial of the Countess of Somerset for the murder of Overbury:—"The Great

said, after his trial for high treason, "Glynne and Maynard have used me like advocates, but Palmer and Whitelock like gentlemen, and yet left out nothing that was material to be urged against me." Does not every one understand at once what he meant? And do not my hearers feel that Strafford himself, in uttering these words, felt that fairness and liberality of judgment which is "becoming a gentleman"? It seems to me that the opening speech of Mr. Clifford, Attorney-General of Massachusetts, on the trial of Professor Webster for the murder of Dr. Parkman, in 1850, was a

---

Oyer of Poisoning: the Trial of the Earl of Somerset for the Poisoning of Sir Thomas Overbury, &c." By Andrew Amos. London, 1846.

Since the preceding lines of this note were written, two works have made their appearance,—Mr. Spedding's edition of Bacon's Works, and Mr. Hepworth Dixon's "Personal History of Lord Bacon, from Unpublished Papers,"—both considered by many persons, it would seem, as presenting Bacon in such a light that, as the latter author says, "The lie, it may be hoped, is about to pass away." Every gentleman will rejoice if by these efforts Bacon's memory shall be again rehabilitated among that of gentlemen; but I doubt whether the attempt has been, so far, successful.

model of good sense and propriety in this respect.

Do not believe that you will lastingly promote even your worldly interests as lawyers by any infraction of the strictest rules of a gentlemanly conduct. Every advocate of experience, I venture to say, will tell you that a fairly established reputation as gentlemen will be an efficient agent in promoting your career as advocates.

Is it necessary to dwell on the disastrous consequences to the law, justice, and security of the citizen, to liberty and truth, when the judge, that eminently essential, high, and peculiar functionary in our civil systems, swerves from the path of a high-minded gentleman? Is it necessary to recall to your memory the conduct of the Stuart judges, "ruffians in ermine"? Is it necessary to point out that in some respects the judge has far greater discretionary power in our system, and must have it, than in many other governments, because he must be independent, and

that for this reason he must, in the spirit of a gentleman, self-limit this power?

The healing art stands no less in need of being practised by gentlemen than the law. In no profession is a constant acting upon the strictest principles of gentlemanliness more indispensable in a general point of view, as well as with especial reference to professional success, than in the practice of medicine and surgery. We know, indeed, that there have been physicians of eminence who have signalized themselves alike by professional skill and commensurate success on the one hand, and offensive bluntness on the other; but we know, too, that, instead of following out their noble mission of alleviating suffering in all its details, they have wantonly added to the affliction of their patients, and that the very highest degree of skill and knowledge was requisite to counterbalance the evil consequences of their ungentlemanly manners. I speak of manners only; for if the physician be void of the principles of the gentleman his ruin must be the inevitable consequence.

The aim of the healing art is to cure or alleviate human suffering in this life, in which it is the lot of man to suffer much,—*to heal*, as the name imports; and the medical adviser efficiently aids his purely therapeutic efforts by soothing the heart of the patient and by comforting the anxious souls of those who watch the sick-bed in distress and gloom. I do not know that man can appear in a brighter phase than as a physician, full of knowledge and skill, calm, careful, bold, and with the soothing adjuncts of gentlemanly blandness. The physician, moreover, must needs be admitted, not only into the recess of the sick-chamber, but very frequently into the recesses of his patient's heart, and into the sanctuary of domestic life with its virtues and its failings and frailties. If he do not carry with him the standard of the purest honor; if he take the slightest advantage of his position; if he fail to keep what he sees and hears buried in secrecy as inviolable as that of the confessor; if he expose what must be revealed to him,—he falls from his high station, and becomes an afflict-

ing injurer and sower of evil instead of a comforter, allaying pain and stilling sorrow where he can. The effect of a gentlemanly spirit and consequent manners is even great in that branch of the healing art in which you may least expect it,—in surgery. I have passed months in hospitals, and have had ample opportunity to observe the different effects produced upon the patients, though soldiers and sailors they were, during serious operations, even the amputation of limbs, by kindly, gentlemanly surgeons, and by those who chilled their victim's heart with gruff words or handled him with hasty and mechanic hands. How gratefully do the poverty-stricken remember a kind word of the physician under whose care they have been in the hospital! How lasting an impression of horror does the harshness of those physicians produce who make the patient bitterly feel his poverty in wealth and friends, in addition to his bodily pain and an aching heart!

Some of you, no doubt, will become editors of newspapers. The journal has become a

prominent agent of modern civilization, and the editor holds great power in comparison with his fellow-citizens. He daily speaks to many; he can reiterate; he is aided by the greater weight which, however unfounded the opinion may be, is attached by the minds of almost all men to every thing printed, over that which is merely spoken; and he is sure that the contradiction of what he states will not run precisely in the same channels through which the first assertion was conveyed. All this, and the consideration that the daily repeated tone in which a paper publishes or discusses the many occurrences of the day produces a sure effect upon the general tone of the community, ought to warn an editor that if the obligations of a gentleman are binding upon any one, they are indubitably so upon him. The evil influence which some papers in our country, very active but very ungentlemanly in their tone and spirit, have already exercised upon our community, cannot be denied. Let me in addition point out one especial application of the general duty of

editors always to conduct their papers as gentlemen: I mean the abstaining from unauthorized publication of private letters, confidential conversations, and, in general, from any exposure of strictly private affairs. The publishing of private letters, indelicately authorized by those to whom they are addressed, is a failing of more frequent occurrence in this than in any other country; and no gentlemanly editor will give his aid in thus confounding public and private life, deteriorating public taste and trespassing upon a sacred right of others, as clearly pronounced and protected by positive law, as it obviously flows from the nature of the case,—the distinct rule that the writer's consent is necessary for a lawful publication of letters.* It was neces-

* There is an interesting account of the decisions and the law, as it now stands in England, on "the Copyright of Private Letters," appended by the Bishop of Llandaff to the "Letters of the Earl of Dudley," new edition, London, 1841. For the general reader it may be stated here that he will find in Lord Campbell's "Lives of the Lord Chancellors," vol. v. p. 54, Life of Lord Hardwicke, the first case, Pope *v.* Curte, in which it was settled that the

sary to mention this palpable infraction of a gentlemanly conduct; but it is so obvious a deviation from the regard which one gentleman owes to another, that, once being mentioned, I hold it to be unnecessary to say any thing more about it.

That the universal obligation of veracity is emphatically binding upon the editor, is evident, but it does not belong exclusively to the subject of gentlemanly conduct. The obligation of truthfulness is as general, and as necessary for the individual and society, as the requisite of light is for the life of nature.

Officers of the army and the navy are everywhere expected to conduct themselves as gentlemen towards one another, and ought to be gentlemen in the truest sense of the term towards every one out of the army and navy, man or woman, lady or seamstress, as well as towards the men under their command. The practice of the high attribute of

---

writer of a letter retains his copyright in it,—in other words, that it cannot lawfully be published without his consent.

the gentleman, that he allows his subordinates or the weak to feel his power as little as is consistent with duty, is not only elevating to the officer, but, in a point of common expediency, highly profitable. Soldiers and sailors, like all other human beings, honor, and, when the trial comes, cling to, the man who has habitually treated them in a gentlemanly way. There was a time—not even half a century ago—when in all armies except the French it was believed that caning and flogging were the best means of discipline. Prussia, soon after her defeat in the year 1806, profiting by the example of her victors, abolished the disgraceful stick,—though not without the loudest protests of the "conservatives,"—and rapidly raised the army punishments from the infliction of mere physical pains, more and more to those that appeal to honor and morality, the king declaring, each time a change was made, by royal decree, that the last improvement of the military punishment had so far improved the spirit of the army that a further improvement was admissible; until

at last punishment in that army may be said to have become wholly unbrutalized. England has not followed this marked improvement of our race as much as is desired by many, because, as the Duke of Wellington publicly declared, the British army is composed of enlisted men, often the scum of society; but before Sebastopol the British officers were ashamed of the cat-o'-nine-tails in presence of the French; and Admiral Collingwood, called the strictest disciplinarian of the navy, never ceased to protest against flogging in the navy, during his whole protracted command of the Mediterranean fleet in the times of Napoleon.* I know nothing individual of the officer who as quietly as on parade went down with his soldiers under arms in rank and file, in the Birkenhead; but I conclude he must have habitually treated his men like a gentleman. Such command over men at such an hour requires more than a commission.

* See "Public and Private Correspondence of the Vice-Admiral Collingwood, with Memoirs of his Life." Third edition. London, 1828.

The character of the gentleman in the sphere of political action, or in all that can be called public life, is one of far the most important topics belonging to our subject. If entire instructive books have been written on the citizen, it would be neither an unprofitable nor an ungrateful task to write an entire volume on the character of the gentleman as citizen. I shall merely mention some points.

The greater the liberty is which we enjoy in any sphere of life, the more binding, necessarily, becomes the obligation of self-restraint, and, consequently, the more important become all the rules of action which flow from our reverence for the pure character of the gentleman,—an importance which is enhanced in the present period of our country, because one of its striking features, if I mistake not, is an intense and general attention to rights without a parallel and proportionately clear perception of corresponding obligations. But right and obligation are twins: they are like the binary flames of Castor and Pollux, which the sailors of the Mediterranean consider as a sure sign of fair

weather and prosperous winds; but if one alone is seen illumining the yard's end, the mariner fears foul weather and danger. Right and obligation are each other's complements, and cannot be severed without undermining the ethical ground on which we stand,—that ground on which alone civilization, justice, virtue, and real progress can build enduring monuments. Right and obligation are the warp and the woof of the tissue of man's moral, and therefore, likewise, of man's civil life. Take out the one, and the other is in worthless confusion. We must return to this momentous principle, the first of all moral government, and, as fairness and calmness are two prominent ingredients in the character of the gentleman, it is plain that this reform must be materially promoted by a general diffusion of a sincere regard for that character. Liberty, which is the enjoyment of unfettered action, necessarily leads to licentiousness, without an increased binding power within; for liberty offers to man, indeed, a free choice of action, but it cannot absolve

him from the duty of choosing what is right, fair, liberal, urbane, and handsome.

Where there is freedom of action, no matter in what region or what class of men, there always have been, and must be, parties, whether they be called party, school, sect, or "faction."* These will often act the one against the other; but, as a matter of course, they are not allowed to dispense with any of the principles of morality. The principle that every thing is permitted in politics is so shameless, and ruinous to all, that I need not dwell upon it here. But there are a great many acts, as has been stated before, which, though it may not be possible to prove them wrong according to the strict laws of ethics, nevertheless appear at once as unfair, not strictly honorable, ungentlemanlike; and it is of the utmost importance to the essential prosperity of a free country that these acts should not be resorted to; that in the minor or higher

* In the conclave the cardinals used to divide into Spanish, French, &c. factions, *i.e.* parties; possibly they do so still.

assemblies and in all party struggles, even the intensest, we ought never to abandon the standard of the gentleman. It is all-important that parties keep in "good humor," as Lord Clarendon said of the whole country. One deviation from fairness, candor, decorum, and "fair play" begets others and worse in the opponent, and from the kindliest difference of opinion to the fiercest struggle of factions, sword in hand, is but one unbroken gradual descent, however great the distance may be; while few things are surer to forestall or arrest this degeneracy than a common and hearty esteem of the character of the gentleman.

We have in our country a noble example of calmness, truthfulness, dignity, fairness, and urbanity,—constituents of the character which we are considering,—in the father of our country; for Washington the wise and steadfast patriot, was also the high-minded gentleman. When the malcontent officers of his army informed him that they would lend him their support if he were willing to build himself a throne, he knew how to blend the dictates of

his oath to the commonwealth, and of his patriotic heart, with those of a gentlemanly feeling towards the deluded and irritated. In the sense in which we take the term here, it is not the least of his honors that, through all the trying periods and scenes of his remarkable life, the historian and moralist can write him down, not only as Washington the Wise, not only as Washington the Pure and Single-minded, not only as Washington the Persevering and Tenacious, but also as Washington the Gentleman.

If in a country of varied, quick, and ardent political action and manifold excitement, in which changes and new combinations must often take place, the standard of the high-bred gentleman is abandoned, the effect is as baneful as that of a prying and falsifying secret police in despotic governments. Mr. Ranke relates, in his "History of the Popes," that the utmost caution of each toward every one prevailed in Rome, because no one knew how he might stand with his best friend in a year's time. The same destruction of confidence and

mutual reliance must spread over the land where freedom reigns but a gentlemanly character does not at the same time prevail. Lord Shaftesbury, the brilliant, energetic, and reckless Alcibiades of English history, rigidly observed the rule, during all his tergiversations, "that he never betrayed the secrets of a party he had left, or made harsh personal observations on the conduct of his old friends,—not only trying to keep up a familiar private intercourse with them, but abstaining from vindictive reflections upon them in his speeches or his writings."* This observance and his Habeas Corpus Act go far with us in redeeming the character of this profligate and unprincipled statesman. If you wish to see the disastrous effects of a general destruction of confidence and mutual reliance, you must

* Lord Campbell's "Lives of the Chancellors," vol. iii. p. 290. I am aware that Sir Samuel Romilly took a somewhat different view of the blending of private intercourse with political opposition, as appears from his "Life and Correspondence" by his son; but I believe the difference is more seeming than real, to judge him by his own life.

study Spanish history; for I believe that the worst effect of the Inquisition has been the total change of the Spanish national character. Even dukes became spies, and that once noble nation was filled with truculent suspicion, in the dark shades of which the character of the gentleman cannot prosper.

I must not omit making mention at least of the importance of a gentlemanly spirit in all international transactions with sister nations of our race,—and even with tribes which follow different standards of conduct and morality. Nothing seems to me to show more undeniably the real progress which human society has made, than the general purity of judges,* together with the improvement of the

* I have lived for long periods in Italy, Germany, France, England, and the United States, and never heard, in the four last-mentioned countries, of a judge suspected of bribery. Yet only a short period has elapsed since satire and comedy teemed with the standing subjects of bribed judges, criminal advocates, and irksome wedlock; and Lord Campbell, in the work cited in the preceding note, says, "England, during the Stuart reigns, was cursed by a succession of ruffians in ermine, who, for the sake of court-favor, violated the principles of

whole administration of justice, so far at least as the leading nations are concerned, and the vastly improved morals of modern international intercourse, holding diplomatic fraud and international trickery, bullying, and pettifogging, as no less unwise than immoral. History, and that of our own times especially, teaches us that nowhere is the vaporing braggart more out of place, and the true gentleman more in his proper sphere, than in conducting international affairs. Fairness on the one hand, and collected self-respect on the other, will frequently make matters easy, where swaggering taunt, or reckless conceit and insulting folly, may lead to the serious misunderstanding of entire nations, and a sanguinary end. The firm and dignified carriage of our Senate, and the absence of petty passion or vain-gloriousness in the British Parliament, have brought the Oregon question to a fair and satisfactory end,—an affair which but a short time ago was believed by many

law, the precepts of religion, and the dictates of humanity."

to be involved in difficulties which the sword alone was able to cut short. Even genuine personal urbanity in those to whom international affairs are intrusted is very frequently of great importance for a happy ultimate good understanding between the mightiest nations.

We may express a similar opinion with reference to war. Nothing mitigates so much its hardships, and few things depending upon individuals aid more in preparing a welcome peace, than a gentlemanly spirit in the commanders, officers, and, indeed, in all the combatants, towards their enemies, whenever an opportunity offers itself. Instead of numerous instances that might be given, I may add that the mention of the names of Prince Eugene and of the Duke of Marlborough ought never to be omitted when the progress of civilization in connection with this or similar subjects is under discussion. It was these two captains that treated their captives of war in such a manner that soon a great improvement in the treating of prisoners of war was effected all

LIBRARY OF THE UNIVERSITY OF CALIFORNIA

round, became a portion of the modern law of war, and forms now one of the characteristics of our civilization.*

I must add, as a fact worthy of notice, that political assassination, especially in times of war, was not looked upon in antiquity as in-

---

* A gentlemanly spirit, of which dignified self-respect and equally dignified forbearance, as well as truthfulness, are essential elements, is the basis of a large portion of the modern law of nations, in peace as well as war. The law of nations is the result of the principle of self-government applied to the intercourse of many great nations existing at one and the same time, drawing abreast, like Olympic chariot-horses, the car of civilization,—that great fact in history which constitutes the very opposite to the obsolete idea of a universal monarchy, once more recommended in our times from that quarter which is vindicated as the concentration of all civilization. The law of nations requires, before all other things, that nations treat and respect one another as equals; and if I had ever doubted that a gentlemanly conduct, even towards the enemy, is an essential element of that branch of the law of nations which is called the law and usages of war, it would have most clearly presented itself to my mind when I was drawing up the code of "Instructions for the Government of Armies of the United States in the Field," which, revised by proper authority, has been promulgated by the President of the United States.

admissible; that Sir Thomas More mentions the assassination of the hostile captain as a wise measure resorted to by his Utopians; that Queen Elizabeth called Sir Amyas Paulet "a dainty fellow," because he was unwilling to lend a hand in ridding her of the captive Mary Queen of Scots, and Cardinal Retz quietly weighed the expediency of murdering Cardinal Mazarin, his successful rival in the civil broils of France; that Charles II. promised, by proclamation, a high reward and civil elevation to whomsoever would poison or otherwise destroy "that mechanic fellow Cromwell;" that the Commonwealth-men in exile were picked off by assassination; while Charles Fox, during the war with the French, arrested the man who offered to assassinate Napoleon, informed the French Government of the fact, and sent the man out of the country;* and Admiral Lord St. Vincent, the stern enemy of the French, directed his secretary to write the following answer to a similar offer made by a

* Pell's "Life of Charles James Fox," p. 592.

French emigrant: "Lord St. Vincent has not words to express the detestation in which he holds an assasin."* Fox and Vincent acted like Christians and gentlemen.†

---

* Tucker, "Memoirs of Admiral the Earl St. Vincent," vol. i. p. 203.

† Death, as a means of action in politics, be it the death of dangerous individuals or death on a large scale, as the French used it in the first Revolution, which led in turn to the abolition of capital punishment for "political offences" by the Provisional Government in 1848, must be treated of in political philosophy and political ethics. But assassinations of individuals, as of Henry IV., may be mentioned here. Sand, the murderer of Kotzebue, and Stapss, who, eighteen years old, attempted to kill Napoleon at Schoenbrunn (see the Mémoires du Général Rapp, Paris, 1823, p. 112 et seqq.), were enthusiastic youths misled by the contemplation of the wrongs inflicted on their outraged country.

Two years after the publication of the second edition of this essay, a foreign paper published in the United States contained an advertisement of fourteen lines, offering five hundred dollars reward for the murder of a certain civil officer in Baden, and spoke of a Society for the Extirpation of German Princes. The absurdity of this monstrous advertisement would make it ludicrous, did such depravity, even were it nothing worse than depravity of taste, leave room for laughter.

While these pages are retouching, the papers give us an account of the trial of those Italians at Paris who were

I have mentioned some cheering characteristics of our period, showing an essential progress in our race. I ought to add a third, —namely, the more gentlemanly spirit which pervades modern penal laws. I am well aware that the whole system of punition has greatly improved, because men have made penology a subject of serious reflection, and the utter fallacy of many principles in which our forefathers seriously believed has at length been exposed. But it is at the same time impossible to study the history of penal law without clearly perceiving that punishments were formerly dictated by a vindictive ferocity, —an ungentlemanly spirit of oppression. All

---

accused of having allowed themselves to be tempted by a couple of hundred dollars, furnished by Mazzini, to assassinate the Emperor of the French. Little reliance, however, can be placed on a French state trial of this sort, defying as it does the commonest rules of legal investigation, and conducted by a government which placed itself over France by breaking all oaths and by shedding streams of blood. Absolute governments, newly established, often stand in need of conspiracies, to frighten the people and tighten the reins still more conveniently.

the accumulated atrocities heaped upon the criminal, and not unfrequently upon his innocent kin, merely because he was what now would be gently called "in the opposition," make us almost hear the enraged punisher vulgarly utter, "Now I have you, and you shall see how I'll manage you." Archbishop Laud—essentially not a gentleman, but a vindictive persecutor of every one who dared to differ from his coarse views of State and Church—presided in the Star-Chamber and animated its members when Lord Keeper Coventry pronounced the following sentence on Dr. Alexander Leighton, a Scottish divine, for slandering prelacy: "That the defendant should be imprisoned in the Fleet during life, should be fined ten thousand pounds, and, after being degraded from holy orders by the high commissioners, should be set in the pillory in Westminster,—there be whipped,—after being whipped, again be set in the pillory,—have one of his ears cut off,—have his nose slit,—be branded in the face with a double S. S., for a Sower of Sedition,—afterwards be

set in the pillory in Cheapside, and there be whipped, and, after being whipped, again be set in the pillory and have his other ear cut off." The whole council agreed. There was no recommendation for pardon or mitigation. The sentence was inflicted. Could a gentleman have proposed or voted for so brutal an accumulation of pain, insult, mutilation, and ruin, no matter what the fundamental errors prevailing in penal law then were? Nor have I selected this from other sentences for its peculiar cruelty. Every student of history knows that they were common at the time against all who offended authority even unknowingly. Stubbs, a divine in the reign of Queen Elizabeth, was sentenced to have his right hand cut off, because, when the marriage of the queen with a French prince was discussing, he had ventured to express, in a pamphlet, his fears of the danger to which the queen would expose herself in possible child-bed, on account of her age. She was then between forty and fifty. Yet, when the executioner had severed his right hand, he waved his hat

with the remaining left, and exclaimed, "Long live the queen!" Compare the spirit which could overwhelm a victim with such brutality, and the branding, pillory, and whipping still existing in some countries, with the spirit of calmness, kindness, yet seriousness and dignity, which pervades a punitory scheme such as the Pennsylvania eremitic penitentiary system, which, for the very reason that it is gentlemanly, is the most impressive and penetrating, and therefore the most forbidding, of all.

Let me barely allude to the duties of the gentleman in those countries in which slavery still exists. Plato says,* genuine humanity and real probity are brought to the test by the behavior of a man to slaves, whom he may wrong with impunity. He speaks like a gentleman. Although his golden rule applies to all persons whom we may offend or grieve with impunity, and although the fair and reluctant use of every power which we may possess over others is one of the truest tests of the gentle-

* De Legibus, lib. vi. edit. Bipont. viii. 203.

man, yet it is natural that Plato should have made the treatment of the slave the peculiar test, because slavery gives the greatest power. Cicero says we should not use slaves otherwise than we do our day-laborers.* I have just stated that the forbearing use of power is a sure attribute of the true gentleman; indeed, we may say that power, physical, moral, purely social or political, is one of the touchstones of genuine gentlemanliness. The power which the husband has over his wife, in which must be included the impunity with which he may be simply unkind to her; that of the father over his children; the teacher over his pupils; the old over the young, and the young over the aged; the strong over the weak; the officer over his men; the master of a vessel over his hands; the magistrate over the citizen; the employer over the employed; the rich over the poor; the educated over the unlettered; the experienced over the confiding; the keeper of a secret over him whom it concerns; the gifted

* De Officiis, xiii.

over the ordinary man; even the clever over the silly,—the forbearing and inoffensive use of all this power or authority, or a total abstinence from it, where the case admits of it, will show the gentleman in a plain light. Every traveller knows at once whether a gentlemanly or a rude officer is searching his trunk. But the use of power is not the only touchstone: even the manner in which an individual enjoys certain advantages over others is a test. No gentleman will boast of the delights of superior health in presence of a languid patient, or speak of great good luck when in hearing of a man bent by habitual misfortune. Let a man who happily enjoys the advantages of a pure and honest life speak of it to a fallen, criminal fellow-being, and it will soon be seen whether he be, in addition to his honesty, a gentleman or not. The gentleman does not needlessly and unceasingly remind an offender of a wrong he may have committed against him. He can not only forgive, he can forget; and he strives for that nobleness of soul and manliness of character

which impart sufficient strength to let the past be truly past. He will never use the power which the knowledge of an offence, a false step, or an unfortunate exposure of weakness give him, merely to enjoy the act of humiliating his neighbor. A true man of honor feels humbled himself when he cannot help humbling others.

The subject which I have chosen covers so extensive a ground that it is difficult to break off, or to treat of all the most important points. Give me leave, then, to refer to but one more subject of practical importance, before I shall address to you my concluding remarks. It is the subject of deriding others, so natural to untutored minds, yet so inconsistent with a truly gentlemanly spirit, because so painful, and generally so undeservedly painful, to those who are the objects of our deriding smiles. A little reflection will show you that they are not in harmony with that genuine good nature, and still less conformable to that refinement of feeling, which characterize the gentleman. Perhaps it will appear that he

who laughs at others shows that he deserves our pity more than the person laughed at. The Koran says, "Do not mock thy neighbor: the mocked may be better than the mocker." There is no subject in the whole province of psychology which offers greater difficulties to the philosopher, possibly none that offers difficulties so great, as that of laughing and the ridiculous. You will find that we feel tempted to smile, sometimes, even when our soul is filled with horror. There is always something risible in the Blue Beards, and, strange to say, the highest degree of horror frequently causes physical convulsive laughter.* We ought, then, to take care not to be betrayed into an act so little understood, when done at the cost of another,

* We are here reminded even of the sardonic smile. Laughter, so distinguishing a feature of man, and so closely interwoven with literature, with civilization, and with ethnography, for some races are more cachinnatory than others,—the negroes and Indians occupying apparently the two ends of the scale,—laughter, I say, seems nevertheless unexplained, even more so than disgust, that "mystic union between imagination and the stomach." I know of no profound physiology of laughter, not even of a sound chapter on this remarkable subject.

who may feel pained or humbled by our inadvertence. We may further say that every thing novel, which does not at once strike us as grand, sublime, or awful, inclines us first of all to smile. The advanced state of my address prevents me from giving you instances. You can easily, however, provide them for yourselves. But, if the fact is as I have stated, you will readily see that the smiling, caused by every thing novel, betrays as often our own ignorance as a fair cause of risibility. You ought, moreover, to remember that every human action perceptible by the senses, and which strikes us at all, causes us to laugh, if we are unacquainted with its antecedents, or if we see it out of connection, unless an experienced mind and vivid imagination quickly supply the antecedents, or a well-trained mind abstain from laughing at others, or at striking objects, as a general rule. Here, again, the ridiculous is not inherent in the phenomenon, but is owing to him who laughs. To see, but not to hear, persons singing, is to all untutored minds ridiculous. Suddenly to find

a man vehemently speaking and gesticulating strikes us as laughable; while, had we been present from the beginning, he might thrill our souls by those very tones and gestures. Even marks of the tenderest affection fare no better in this respect; and what is more common than the laughing of the uneducated at the accent of those who, nevertheless, may have used great diligence and study to make themselves well understood in an idiom, all the difficulties of which they are not able to overcome, because they have not learned it on their fathers' knees or kissed it from their mothers' blessing lips, and most willingly would speak to you, did it depend upon them, without any of those deviations at which you may smile? We frequently laugh at acts of our neighbors. Did we know all the antecedents, their whole education, their checkered lives, we should probably find nothing to smile at, and at times these very acts might make us weep instead. It is a rule, therefore, of much practical importance for the gentleman, never to laugh at others unless their pretensions de-

serve it; but if he, in turn, be laughed at, he will remember that it is a common failing from which he has not always remained free, that placid good nature is a signal attribute of the gentleman, and that, if he have given real cause for laughter, there is no better means to deprive it of all its sting than freely to join in it.

I have spoken of laughing at others only, not of laughing in general. He that can never heartily laugh can hardly have a heart at all, or must be of a heavy mind. A sound laugh at the proper time is the happy music of a frank and confiding soul. It is the impulsive and spontaneous song which the Creator gave to man, and to man alone, in lieu of all the lovely tones which he profusely granted to the warblers of the wood.

But we must return to more serious subjects before I conclude. They shall be treated of in two more remarks, the last with which I shall detain you. They will be very brief; but, young gentlemen, I invite your whole attention to them. Ponder them; for they

are of momentous importance for your whole lives,—important even to your country.

"Habit is the best magistrate," was a wise saying of Lord Bacon's. Mere mental acknowledgment of moral truth becomes powerless when it is most important to apply it,—in moments of great temptation, of provocation, or passion. If repeated and constant acting upon that truth has not induced a habit or grown into a virtue, it may be sufficiently strong to produce repentance after the offence, but not to guide before the wrong be committed. Apply yourselves, then, sedulously at once to act habitually by the highest standard of the gentleman,—to let a truly gentlemanly spirit permeate your being. No better opportunity to practise this moral rule is given you than your present relation to your teachers. Let a gentlemanly tone ever subsist between you. You will thus not only make your lives pleasant and sow the seeds of happy reminiscence, but it will give new force and new meaning to the very instruction for the reception of which you have come

hither, and it will best prepare you for establishing that relation which is one of the most fruitful and blessed that can subsist between man and man: I mean friendship between the teacher and the taught,—a relation of which we find so touching an example in Socrates and his followers, and so holy a model in Christ and his disciples,—a relation which lends new strength to the mind to seize what is offered, and which in a great measure overcomes the difficulty of communion between soul and soul. For all language, except in mathematics, is but approximation to the subject to be expressed, and affection is the readiest and truest interpreter of the ever-imperfect human word. Believe me, my young friends, however extensive the knowledge of your teacher, skilful his language, or ardent his zeal, and however close your attention may be, you will hear and learn far more if affection towards him enlivens that attention, and you will integrate with your very soul that which, without friendship between you and him, remains matter of purely intellectual

activity, liable to be superseded by successive layers of knowledge.

If thus you make the character of the gentleman more and more your own, you will additionally prepare yourselves for the high and weighty trusts which await all of you as citizens of a commonwealth in which we enjoy a rare degree of personal liberty. I have shown you how closely connected the character of the gentleman is with a high standard of true civil liberty, but it is necessary to direct your mind, in addition, to the fact that there are difficulties in the way of attaining to this high end, peculiar to young Americans, while yet it may be one of the problems the solution of which is assigned to us in history, to develop the peculiar character of the high-bred republican gentleman in a pervading national type, as it has been that of England to develop the character of the monarchical gentleman.

It is difficult for princes to imbibe the true spirit of the gentleman, because their position and education naturally lead to the growth of selfishness; and so there are, on the other

hand, difficulties, not insuperable, yet positive, in the way of carefully cultivating this character, peculiar to a country like ours, in which large numbers are constantly rolling westward and changing their dwellings, neighbors, and associations, in which a degree of success, in a worldly view, awaits almost with certainty health, industry, and prudence, without necessarily requiring the addition of refinement of feelings or polish of conduct, and in which at the same time a greater amount of individual liberty is enjoyed than in any other country. Suffrage is almost universal, and, so far as the vote goes, all have equal weight: you see some persons rise to distinction, without any high claim to morality, religion, or gentlemanliness; and the power-holders, whether they be monarchs or the people, a few or many, ever listen to flattery. It is inherent in power; and it is a common belief—though I am convinced of the contrary—that large masses are not flattered by gentlemanliness. Even if it were so, we would have no right to sacrifice so important a moral standard. Are we allowed to do any evil

which we may yet be fully persuaded would promote our worldly interest? Is it ever safe, even in a purely prudential point of view, to be guided by secondary motives, when conduct and the choice of objects, not the selection of means, are the question? But, happily, it is not so. Even the least educated have an instinctive regard for the high-bred gentleman, however they may contemn certain counterfeits of the gentleman, especially the dandy; and the acknowledgment on the part of a whole community that a man *is* a gentleman gives him a hold on it most important in all matters of action. Adhere to it. If you see others rise above you by practices which you contemn, you must remember that it is one of the very attributes of the gentleman to stand alone when occasion requires it, in dignity and self-possession, without conceit, but conscious that he has acted right, honorably, gentlemanly.* Distrust every one who would

* The importance of the character of the gentleman in politics, especially in legislative bodies and in the Representative in general, has been more fully discussed

persuade you to promote your interest by *descending*. The elementary law of all progress, be it religious, mental, political, or industrial, is that those who have talent, skill, character, or knowledge in advance of others should draw these after them and make the lower *rise*. This is the truly democratic law of united advancement, in which every one leads in whatever he can lead. All else is suspicious aristocracy,—the aristocracy of a few, or the aristocracy of the low, if aristocracy is marked, as I think it is, by undue privilege, which is unbefitting to all men, be they a few or the many. Scan history, and you will find that throughout the annals of civilization this uniform law prevails, that a favored mind perceives a truth, gives utterance to it, is first disbelieved, derided, or attacked, perhaps called upon to seal the truth with his death; but the truth is not lost on that account: it infuses itself into the minds of the very detractors; it spreads further and further, is discussed and

by me in the chapters on the Duties of the Representative in the second volume of "Political Ethics."

modified; it collects votaries sufficient to form a minority, and at length the minority swells into a majority, which ultimately establishes the principle in practice: so that the whole process has consisted in men being led upwards to the truth, not in truth descending downwards to a stagnant level of mediocrity, ignorance, or want of civilization. It requires patience and gentlemanly forbearance; but is not God the most patient of all? You cannot point out a single vast movement of mankind towards an essential improvement, which does not serve as an illustration of the law which I have just stated to you.

At the very moment of writing these last words, I received opportunely the speech of Sir Robert Peel on the 30th of June,* in which he explains the reasons of his resignation and his defeat in Parliament, after having happily passed the free corn-trade bill; and as the reader is referred in some works to a diagram at the end of the volume, so shall I conclude by point-

* In the year 1846.

ing to that manly speech as a practical illustration of much that I have said on the conduct of the gentleman in politics. Outvoted in Parliament, discarded by the party with whom he came into office, and seeing his successor in power, influence, and honors before him, he still speaks of his whole position, his antagonists, and his former friends now turned into bitter enemies, with calmness, dignity, and cheerful liberality, readily allowing that in a constitutional country the loss of power ought to be the natural consequence of a change of opinion upon a vital party question, that is, upon a subject of national magnitude. Yet he rejoices at having thus come to different and truer views upon so essential a point as that of the daily bread of toiling multitudes, and frankly ascribes the chief merit of this momentous progress to a person* who belongs to

---

* Mr. R. Cobden, Member of Parliament, and leader of the Anti Corn-Law League, has deserved well of mankind. There is but one omission in Sir Robert Peel's speech with which we feel tempted to find fault. No one admires more than myself Mr. Cobden's wise and

a sphere of politics totally different from that in which he himself had been accustomed to

---

energetic course, which, indeed, procured him the offer of a place in the Cabinet from the Whigs when they were forming their new administration; but even his labors and the arduous exertions of the League would have remained unavailing for a long time yet, as it seems, had not divine wisdom sent at this precise juncture the potato-rot, and thus aided one of the greatest advancements of mankind to come to maturity. The historian must mention, together with Cobden and the League, the potato-rot.

This acknowledgment of Sir Robert Peel's is another evidence of the invaluable usefulness of that greatest of institutions which characterize our own modern liberty, —principled and persevering opposition, to which Sir Robert Peel bore the same striking testimony, when, in 1829, the Catholic Emancipation bill had been carried by the Wellington and Peel cabinet, and the latter said, in the Commons, "One parting word, and I have done. I have received in the speech of my noble friend the member for Donegal, testimonies of approbation which are grateful to my soul; and they have been liberally awarded to me by gentlemen on the other side of the House, in a manner which does honor to the forbearance of party among us. They have, however, one and all, awarded to me a credit which I do not deserve for settling this question. The credit belongs to others, and not to me: it belongs to Mr. Fox, to Mr. Grattan, to Mr. Plunket, to the gentlemen opposite, and to an illustrious and right honorable friend of mine who is no more [mean-

move. It is a gentlemanly speech, leaving a corresponding impression in his own country and throughout ours, conciliating, and commanding esteem,—an effect such as always attends a conduct truly gentlemanly, where civilization dwells among men.

---

ing Mr. Canning]. By their efforts, *in spite of my opposition*, it has proved victorious." And may not be added here, with propriety, the reforms of the penal code of England, so perseveringly urged by Sir Samuel Romilly and Sir James Mackintosh, and at length partially adopted by Sir Robert Peel, in 1830?

Wellington,—who, in a conversation with Canning on certain statements made by the Emperor Nicholas, had said, "I see what you mean; but could I suppose that the fellow was a d—— liar?"—Wellington, in the House of Lords, in honor of Peel's memory, soon after his sudden death, praised above all his truthfulness. There may be party men who doubt this: I state the fact that a soldier and statesman like Wellington praised above all other things, in a statesman like Peel, his veracity, as a fact deserving to be remembered by all youth of modern free countries.

THE END.

LIBRARY OF THE UNIVERSITY

14 DAY USE
RETURN TO DESK FROM WHICH BORROWED

LOAN DEPT.

This book is due on the last date stamped below, or on the date to which renewed.
Renewed books are subject to immediate recall.

19Nov'61DD
RECD LD
NOV 11 '61
4Jun'65MJL
RECD LD
JUN 8 '65-5 PM
JUN 19 1986
RECEIVED BY
FEB 24 1989
CIRCULATION DEPT.

JUN 20 1990
AUTO. DISC.
JUN 20 1989

RETURN TO the circulation desk of any University of California Library

LD 21A-50m-8,'61
(C1795s10)476B

General Library
University of California
Berkeley

IB 22690

GENERAL LIBRARY - U.C. BERKELEY

B000815530

BJ1521
L5
261

12,000 (11/95)